

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
April 13, 2011
4:00 P.M.**

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – Minutes to be emailed; February 9, 2011; March 9, 2011

III. **OLD BUSINESS**

409-411 W. 3rd Street, Creative Home Concepts, LLC, 11-TV-01. Request for an extension of time to complete repairs. Previously heard January 12, 2011.

521 W. Wylie Street, Linda Lee, 11-TV-53. Request for an extension of time to complete repairs. Previously heard January 12, 2011.

IV. **NEW BUSINESS**

801 W. Dodds Street Unit 1, Laurie Best, 11-TV-39. Request for an extension of time to complete repairs.

1610 E. 3rd Street, John Causey III, 11-TV-41. Request for an extension of time to complete repairs.

620 & 622 N. Adams Street, Clifton Bell, 11-TV-42. Request for an extension of time to complete repairs.

305 E. 9th Street, H.A.N.D., 11-RV-43. Request to rescind a variance.

1004 W. Country Club Drive, Matthew Ferguson, 11-TV-44. Request for an extension of time to complete repairs.

809 N. Walnut Street, Pendragon Properties, 11-TV-45. Request for an extension of time to complete repairs.

915-1015 N. Rogers Street, Pendragon Properties, 11-TV-46. Request for an extension of time to complete repairs.

100 E. Miller Drive, H.A.N.D., 11-RV-47. Request to rescind a variance.

1218 N. College Avenue, Pavilion Properties Management, 11-TV-49. Request for an extension of time to complete repairs.

424 E. 6th Street, Kenneth Kinney, 11-TV-51. Request for an extension of time to complete repairs.

812 E. 8th Street, Kenneth Kinney, 11-TV-52. Request for an extension of time to complete repairs.

3215 E. Braeside Drive, The Legacy Group, 11-TV-54. Request for an extension of time to complete repairs.

531 E. Smith Avenue, Tempo Properties, 11-TV-55. Request for an extension of time to

complete repairs.

537 E. Smith Avenue, Tempo Properties, 11-TV-56. Request for an extension of time to complete repairs.

938 N. Walnut Street, Telko, Inc., 11-TV-57. Request for an extension of time to complete repairs.

1000 W. Cottage Grove Avenue, H.A.N.D., 11-RV-58. Request to rescind a variance.

618 S. Mitchell Street, William & Linda McCoy, 11-TV-59. Request for an extension of time to complete repairs.

423 S. Fess Avenue, Jeanne Walters Real Estate, 11-TV-60. Request for an extension of time to complete repairs.

806 W. Chambers Drive, Joanne Sabbagh, 11-TV-61. Request for an extension of time to complete repairs.

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-01

Address: 409-411 W. 3rd St.

Petitioner: Marcie Widen for Creative Home Concepts

Inspector: Sean Person

Staff Report: August 23, 2010 Completed the Cycle Inspection
November 12, 2010 Conducted the re-inspection
November 15, 2010 Received the 1st Appeal
January 12, 2011 Extension granted by the BHQA
February 23, 2011 Conducted re-inspection
February 28, 2011 Received letter requesting 2nd Appeal

The petitioner has requested additional time to work on the window in Unit #1. The window was replaced with a new window so that it would work properly. The size was significantly reduced from the original window when replaced. The new window does not meet the current size requirement for an egress window.

| | |
|--|----------------------|
| Openable area required: 5.0 Sq. Ft. | Existing area: 4.23 |
| Clear width required: 20" | Existing width: 26.5 |
| Clear height required: 24" | Existing height: 23 |
| Maximum sill height: 44 above finished floor | Existing sill: 29 |

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: MARCI WIDEN

Petitioner's Address & Phone Number: PO Box 3429 Bloomington, IN 47402

Owner's Name: CREATIVE HOME CONCEPTS

Owner's Address & Phone Number: 325 S. RIVERS 332-2180

Address of Property: 411 W. 3rd AVE. 1

Occupant(s) Name(s): TIM MATTINGLY

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): _____

(Will be assigned by BHQA)

OLD

Petition Number: _____

(Please use the reverse side for further explanation and/or request)

To Hand Department of Bloomington

Regarding property located at 411 W 3rd St (Apt 1)

Problem: Window that does not meet egress size requirements.

Requesting: Second extension to try and resolve this matter

We have made every effort to replace the window that did not meet inspection requirements by having window replaced according to what we believed was the correct size. The report indicated the size it needed to be. However – since we did not know how to measure the window correctly at the time we had a new window installed which seemed to be the correct size according to how we read the size requirements. The inspector came back out we were told it still does not meet the size requirements. The current window is on the ground level and an adult person can easily exit the room thru the window at this time even though it is the incorrect size.

The inspector has explained how to figure the size and we are trying to get this taken care of in timely manner.

We are requesting an extension to our original extension request. Please let us know what else we need to do to get this extension approved.

Thank you.

Marci Widen

Creative Home Concepts, LLC

PO Box 3429, Bloomington, IN 47402

Compliance Deadline: May 31, 2011

Attachments: Cycle Inspection report, Petitioners letter

Cycle Report

3001

OWNERS

=====
CREATIVE HOME CONCEPTS
213 S. ROGERS STREET
BLOOMINGTON, IN 47404

Prop. Location: 411, 409 W 3RD ST
Date Inspected: 08/23/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 5 / 1
Number of Bedrooms: 1 & 2
Max # of Occupants: 2 & 3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

VARIANCE

=====
02/22/1984 Granted a variance for the minimum ceiling height requirement at 411 W. 3rd St., Apt. #4.

INTERIOR

Unit #1

Kitchen (7-9 x 4-6)

Replace the missing smoke detector. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Repair or replace range exhaust fan so that it functions as intended. PM-603.1

Bathroom

Repair exhaust fan so that it functions as intended. PM-603.1

Repair the faucet to eliminate the constant dripping. PM-504.1

Bedroom (10-5 x 7-4)

Note: Please get window measurements during reinspection.

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Unit #2

This unit was not inspected at the time of this inspection, as it was not accessible. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** PM-104.4

Unit #3

Kitchen (14-1 x 8-6)

Repair the broken window. PM-303.13

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3

Living Room (10-2 x 22-2)

Provide operating power to smoke detector. PM-704.1

Bathroom

No violations noted.

Bedroom (17-2 x 10-0)

Note: Door leading to exterior for egress.

Unit #4

Kitchen (3-6 x 14-1)

No violations noted.

Bathroom

No violations noted.

Hallway

Replace the missing protective cover for the light fixture. PM-605.1

Bedroom (13-4 x 9-5)

The clear opening area for the emergency egress window shall not be blocked by furniture or storage. PM-102.3 & PM-702.4

Note: At the time of the cycle inspection this unit was vacant. Please get window measurements during reinspection.

Unit 409

This unit was not inspected at the time of this inspection, as it was not accessible. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** PM-104.4

EXTERIOR

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions (front sidewalk). PM-302.3

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or **a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-53

Address: 521 W. Wylie St.

Petitioner: Jared Mackinnon

Inspector: Sean Person

Staff Report: October 17, 2010 Completed the Cycle Inspection
 November 30, 2010 Received 1st Appeal
 January 5, 2011 Conducted re-inspection
 January 12, 2011 Extension granted by BHQA
 March 1, 2011 Received 2nd extension Appeal

The petitioner has requested additional time to work on the windows. All other items are in compliance.

Staff recommendation: Deny the extension of time.

Conditions: This case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: none

Attachments: Cycle Inspection Report, Petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAR 01 2011
BY: _____

Petitioner's Name: Jared Mackinnon

Petitioner's Address & Phone Number: 521 W. Wylie

Owner's Name: Linda Lee

Owner's Address & Phone Number: 3875 S. County Rd. 50 W Paul, IN
144

Address of Property: 521 W. Wylie 47403

Occupant(s) Name(s): Jared Mackinnon

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): Jared Mackinnon

11-TV-53

Petition Number: _____

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Use write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Windows need repairs. Waiting
for warmer weather before removing
the rest of the windows.
would like until May. Preferably
towards the end.

Signature:

A handwritten signature in dark ink, appearing to be "J. M." or similar, written over a horizontal line.

Date:

March 1st



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

4594

OWNERS

LEE, LINDA L.
3875 S. COUNTY RD. 50W
PAOLI, IN 47454

Prop. Location: 521 W WYLIE ST
Date Inspected: 10/11/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1/1
Number of Bedrooms: 2
Max # of Occupants: 2
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

INTERIOR

Living Room (11-1 x 13-5)

Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2

Kitchen (11-7 x 13-5)

No violations noted.

Bedroom N (10-6 x 10-3)

Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2

Provide operating power to smoke detector. PM-704.1

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows.
PM-303.13

Bedroom (10-1 x 10-3)

Existing Egress Window Measurements:

Height: 23 inches

Width: 31 inches

Sill Height: 26 inches

Openable Area: 4.95 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair the broken window. PM-303.13

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows.
PM-303.13

Back Porch (17-11 x 9-11)

No violations noted.

Upper Level (27-3 x 13-1)

No violations noted.

Basement

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Remove and properly dispose of all accumulated debris on property. PM-302.1

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by

all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-39

Address: 801 W. Dodds #1

Petitioner: Laurie A. Best

Inspector: Sean Person

Staff Report: November 12, 2010 Completed the Cycle Inspection
December 2, 2010 Mailed the report
February 8, 2011 Conducted the Re-inspection
February 11, 2011 Received the Appeal
February 15, 2011 Sent RV report

The inspector cited the need for roof replacement on the Cycle Inspection report. All other items have been complied. The petitioner is requesting an additional 90 days.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: May 15, 2011

Attachments: RV report



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name:

Laurie A. Best 325-3272

Petitioner's Address & Phone Number:

801 W. Dodd

Owner's Name:

Joseph Doll

Owner's Address & Phone Number:

8371 N. Foxhollow Rd

Address of Property:

801 W. Dodd

Occupant(s) Name(s):

Crystal King

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature:

Laurie A. Best

Name (print):

Laurie A. Best

Petition Number:

11-TV-39

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

ase write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or
fication(s) for your request, the amount of time needed to bring the property into compliance, as well as any
ifications and/or alterations you are suggesting.)

Roof Replacement - Request for
a ninety (90) day extension
due to weather. Thank you
Sanne

Signature:

Sanne

Date:

2/11/2011



**City of Bloomington
Housing and Neighborhood Development**

FEB 15 2011

Remaining Violations Report
Re-inspected February 8, 2011

9513

OWNERS

DROLL, JOSEPH T.
8371 N. FOXHOLLOW ROAD
BLOOMINGTON, IN 47408

Prop. Location: 801 W DODDS #1 ST
Date Inspected: 11/12/2010
Inspectors: McCormick/Person
Primary Heat Source: Electric
Property Zoning: RC
Number of Stories: 1

AGENT

BEST, LAURIE
8371 N. FOXHOLLOW RD.
BLOOMINGTON, IN 47408

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

EXTERIOR:

Replace damaged and deteriorating roof. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. PM-303.4 & PM-303.7



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 13 April 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-041

Address: 1610 E. 3rd St.

Petitioner: Rob Lovejoy

Inspector: Michael Arnold

Staff Report:

| | |
|-------------------|---|
| 25 January 2010 | Cycle Inspection |
| 10 February 2010 | Sent Report |
| 20 April 2010 | Sent remaining Violations Report |
| 26 July 2010 | Received new registration from |
| 13 September 2010 | Sent Amended Remaining Violations Report showing exterior painting deadline as 25 January 2011 instead of 25 January 2010. Also sent Appeal application |
| 18 September 2010 | Start Legal |
| 27 September 2010 | Sent Remaining Violations Report with updated agent information |
| 07 February 2011 | Spoke to Ron Lovejoy about completing the repairs and getting the property inspected. |
| 18 February 2011 | Received Appeals form |

The agent is requesting an extension of time to complete repairs. To date there has not been a reinspection at the property. The agent is asking for an extension in order to find a painting contractor that is a licensed lead renovator as required by EPA for work that disturbs painted surfaces in housing built before 1978.

Staff recommendation: Grant the extension of time.

20

21

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 30 April 2011 All items except exterior painting
01 June 2011 Exterior Painting

Attachments: Application, Amended Remaining Violations report



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
FEB 1 8 2011
BY:

Property Address: 1610 E. 3RD Street

Petitioner's Name: Rob Lovejoy

Address: 31415 SW 193RD Ave

City: Homestead **State:** Florida **Zip Code:** 33030

Phone Number: (812) 327-8746 **E-mail Address:** the.rob.lovejoy@gmail.com

Owner's Name: John Causey III

Address: 6709 La Tijera Blvd

City: Los Angeles **State:** California **Zip Code:** 90045

Phone Number: **E-mail Address:**

Occupants:

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11 - TV - 41

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

The time extension is needed due to lead paint and the ability to get an E.P.A. certified contractor for the work. The front door needs replaced but it has lead paint on it so the contractor has to be certified in order to remove the old door as I understand the new E.P.A. law on lead paint. All the exterior work on the residence is the same situation. I have 3 regular contractors that work for me and due to weather, timing, and the economy none of them have been able to get to Indianapolis to take the certification. Please allow us to have the time needed to bring the residence to compliance. We understand the work needs to be done, but needs to be done in the correct manner.

Thank You

Signature (Required):



Name (Print): Rob Lovejoy

Date: 2/14/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Remaining Violations Report
Amended Report 08 September 2010

3552

OWNERS

=====

CAUSEY III, JOHN
6709 LA TIJERA BLVD.
LOS ANGELES, CA 90045

AGENT

=====

ROBERT G. LOVEJOY
4542 S. CARDINAL DR.
BLOOMINGTON IN 47403

Prop. Location: 1610 E 3RD ST
Date Inspected: 01/25/2010
Inspectors: Mike Arnold
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: No
Accessory Structure: garage

VARIANCE

=====

09/05/1991 Granted the variance to the minimum ceiling height requirement in the basement

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Interior:

Lower Level:

Family Room (18-4 x 11-7), Laundry Room, Bathroom:

No violations noted

Hallway:

Replace the missing protective cover for the light fixture. PM-605.1

North Room:

Replace the missing protective cover for the light fixture. PM-605.1 (South wall, east end).

Main Level:

Living Room (24-6 x 12-9), Dining Room (12-2 x 10-9), Enclosed Porch, 1/2 Bathroom:

No violations noted

NE Bedroom (11-6 x 10-3):

Existing Egress Window Measurements:

Height: 25 inches
Width: 31.5 inches
Sill Height: 28 inches
Openable Area: 5.47 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

No violations noted

Upper Level:

Main Room (18-9 x 12-9):

No violations noted

East Bedroom (18-8 x 13-7):

Existing Egress Window Measurements:

Height: 22 inches
Width: 27 inches
Sill Height: 22 inches
Openable Area: 4.13 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

No violations noted

Bathroom:

No violations noted

Detached Garage:

No violations noted

Exterior:

Repair/replace the damaged screen. PM-303.14 (Main Level - west wall – north window).

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2 **This item has a deadline of 25 January 2011).**

Replace the deteriorated guttering. PM-303.7 (Where needed).

Replace the missing downspout on the SW corner of the structure. PM-303.7

Replace the deteriorated threshold at the front entry. PM-303.15

Required Documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.**
BMC16.12.040

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-42

Address: 620 & 622 N Adams

Petitioner: Clifton Bell

Inspector: John Hewett

Staff Report: October 26, 2010 Completed Cycle Inspection
 November 10, 2011 Sent Report
 February 15, 2011 Sent RV
 February 22, 2011 Received Appeal

The Petitioner is requesting additional time to make repairs citing a death in the family, illness and the weather.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: May 14, 2011

Attachments: Cycle Inspection Reports, Petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
FEB 22 2011

BY:

Petitioner's Name: Clifton Bell

Petitioner's Address & Phone Number: 703 W. Temperance, Ellettsville IN
47429

Owner's Name: Clifton Bell

Owner's Address & Phone Number: Same cell 812 360-2836

Address of Property: 620 and 622 N. Adams

Occupant(s) Name(s): Matt Aurthur (620 N. Adams)
Robert Aurthur (622 N. Adams)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Cliff Bell

Name (print): CLIFF BELL

Petition Number: 11-TV-42

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Cliffen Bell needs 120 days to
complete repairs. He has had
death in the family and sickness.
Weather has also been an issue.

Signature: Cliff Bell Date: 2/22/11



City of Bloomington Housing and Neighborhood Development

Cycle Report

998

OWNERS

BELL, CLIFTON R. & PATRICIA A.
703 W. TEMPERANCE
ELLETTTSVILLE, IN 47429

Prop. Location: 620 N ADAMS ST
Date Inspected: 10/26/2010
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 1
Max # of Occupants: 2
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure:

Interior

Living room

13-3 x 13-2

Provide a complete directory of all service panels and circuits. PM-605.1

SE bedroom

13-7 x 11-4

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Existing Egress Window Measurements:

Height: 36 inches

Width: 12 inches

Sill Height: 19 inches

Openable Area: 3 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Furnace closet

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
PM-603.1

Kitchen

11-4 x 12-2

Replace the torn floor covering. PM-304.4

NW room

9-4 x 6-7

No violations noted.

Bathroom

No violations noted.

Exterior

Install an approved closing device for the front storm door. PM-303.15

Install a junction box at the wire splice above the back door. PM-605.1

Repair the chipped and broken concrete on the front porch and steps. PM- 303.10

Paint the exposed bare wood of the ceiling on the front porch. PM-303.2

Repair the holes in the porch roof framing. PM-303.10

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
Housing and Neighborhood Development

Cycle Report

12

OWNERS

BELL, CLIFTON R. & PATRICIA A.
703 W. TEMPERANCE
ELLETTSVILLE, IN 47429

Prop. Location: 622 N ADAMS ST
Date Inspected: 10/26/2010
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 1 approved
Max # of Occupants: 2
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure:

Interior

Kitchen

11-1 x 12-5

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Living room

11-4 x 13-11

No violations noted.

Bedroom

9-0 x 11-4

Install the door trim on the inside of the door casing. PM-304.1

Existing Egress Window Measurements:

Height: 23 inches

Width: 27 inches

Sill Height: 27 inches

Openable Area: 4.3 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom

Repair the sink faucet to have hot water and to be free of leaks. PM-504.1

Back Hall

Replace the missing protective cover for the light fixture. PM-605.1

Exterior

Repair the handrail on the back porch steps. PM-303.12

Repair the roof on the back porch. These repairs shall use materials and methods designed for use on a flat roof. PM- 303.7

Properly secure the loose fascia boards on the front (west side) of the house. PM-303.9

Repair the broken front porch stair handrail. PM-303.12

This violation has a one-year deadline from the date of the Cycle Inspection (10/26/2010).
Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: April 13, 2011
Petition Type: Rescind a Variance
Petition Number: 11-RV-43
Address: 305 E. 9th Street
Petitioner: HAND
Inspector: Maria McCormick
Staff Report: February 17, 2011 Cycle Inspection
February 22, 2011 Rescind Variance

During the cycle inspection it was noted that the unit had been remodeled and converted from a duplex back to a single family structure. Therefore the variance from 12/03/1980 to allow cooking equipment in a sleeping room is no longer necessary.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
FEB 22 2011

Property Address: 305 E. 9th Street

BY: _____

Petitioner's Name: HAND

Address: 401 N. Morton Street Suite 130

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 349-3420

E-mail Address: mccormim@bloomington.in.gov

Owner's Name: Johnie & Loretta Edwards

Address: PO Box 534

City: Ellettsville

State: Indiana

Zip Code: 47429

Phone Number: 812-876-0752

E-mail Address: jpe@edwardsproperties.biz

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: Rescind a variance. (Petition Type: RV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-RV-43

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

This property was a duplex with a studio apt. that has been converted back to a single family. Therefore the variance that was granted 12/03/1980 to allow cooking equipment in a sleeping room is no longer needed.

Signature (Required):



Name (Print): Maria McCormick, HAND

Date: 2/21/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-44

Address: 1004 W. Country Club Drive

Petitioner: Julie Cooper

Inspector: Sean Person

Staff Report: December 21, 2010 Completed the Cycle Inspection.
January 4, 2011 Sent report
February 22, 2011 Received Appeal

The petitioner is requesting additional time for the completion of repairs. Clearing the snow we received this year has taken much of the time the maintenance staff would have used for these repairs. Petitioner has requested an additional 60 days.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 20, 2011 for all electrical and fire safety violations
May 04, 2011 for all other violations

Attachments: Cycle Inspection Report, Petitioner's letter

JP

38



**Application For Appeal
To The
Board of Housing Quality Appeals**

**P.O. Box 100
Bloomington, IN 47402**

812-349-3420

hand@bloomington.in.gov

RECEIVED
FEB 22 2011

BY: _____

Property Address: 1004 Country Club Dr

Petitioner's Name: Julie Cooper - Property Manager-

Address: 3111 S Leonard Springs Rd

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: (812) 336-5603

E-mail Address: woodlandsprings@sbcglobal.net

Owner's Name: Matthew Ferguson

Address: 701 Summitview Place

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-336-5603

E-mail Address: woodlandsprings@sbcglobal.net

Occupants:

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-44

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Seeking extension of time to complete repairs due to the harsh bad ice and snow we have received this year. We have spent unusual amount of time clearing and keep clear all stairs and sidewalks on a daily basic, taking away time needed to make repairs. Asking for a 60 day extension.

Signature (Required):

Julie Cooper

Name (Print): Julie Cooper

Date: 2/17/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

40



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

7118

OWNERS

FERGUSON, MATTHEW W.
701 SUMMITVIEW PL.
BLOOMINGTON, IN 47401

AGENT

MAY, SCOTT G.
701 SUMMITVIEW PLACE
BLOOMINGTON IN 47401

Prop. Location: 1004 W COUNTRY CLUB DR
Date Inspected: 12/21/2010
Inspectors: Sean Person
Primary Heat Source: Electric
Property Zoning: RS
Number of Stories: 3

Number of Units/Structures: 42/ 2
Number of Bedrooms: 1 & 2
Max # of Occupants: 2 & 3
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

VARIANCE

12/15/2003 Unit #9 is not approved for occupancy.

INTERIOR

Note: Only units with violations will be noted in this report.
Note: Unit #9 was being used as storage at the time of the inspection.

One Bedroom Dimensions #1-39 number 8 is efficiency
Living Room & Dining Room 17-0 x 11-8
Bedroom 11-8 x 11-8
Bathroom

Two Bedroom Units #39-42

Living Room 15-6 x 13-6
Kitchen 11-0 x 10-0
Front Bedroom 10-0 x 10-0
Rear Bedroom 10-0 x 10-0

Existing Egress Window Measurements: 2 Bedrooms

Height: 34 inches
Width: 16 inches
Sill Height: 47 inches
Openable Area: 3.77 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Existing Egress Window Measurements: 1 Bedrooms

Height: 45 inches
Width: 22 inches
Sill Height: 35 inches
Openable Area: 6.87 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Unit # 39

Kitchen

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3

Properly repair floor covering close to the laundry area. PM-304.2 & PM-304.4

Bathroom

Repair the countertop to support imposable loads. This should include re-caulking around the countertop to eliminate water infiltration. PM-304.3

Unit #40

Hallway

Provide operating power to smoke detector. PM-704.1

Unit #42

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #24

Kitchen

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Secure toilet to its mountings. PM-504.1

Unit #25

Living Room

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #26

Kitchen

A minimum 1A-10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. **The securing mechanism must be no more than 5 feet above the floor.** PM-704.3

Hallway

Replace the missing protective cover for the light fixture. PM-605.1

Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Unit #27

Living Room

Repair the door so that it opens, closes and latches as intended. PM-304.6

Bathroom

Repair the toilet in a manner so that it functions as intended and prevents the water from constantly running. PM-504.1

Properly repair or replace and paint the damaged or deteriorated drywall. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Hallway

Properly repair or replace and paint the damaged or deteriorated drywall. This is to be done in a workmanlike manner PM-102.8, PM-303.1 & PM-304.2, & PM-304.3

Unit #28

Bathroom

Repair the toilet in a manner so that it functions as intended and prevents the water from constantly running. PM-504.1

Unit #29

Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Unit #30

Bedroom

Replace the missing protective cover for the light fixture. PM-605.1

Unit #32

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #33

Exterior

Replace the missing protective cover for the light fixture. PM-605.1

This unit was not inspected at the time of this inspection, as it was vacant and being turned over. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property, or prior to this unit being occupied. All work in this unit shall be completed in a workmanlike manner and includes but is not limited to the following:

- Properly complete the installation of all electrical wiring, lighting fixture(s), electrical receptacle(s), and all other electrical fixtures or appliances. These items will be checked for compliance with the City of Bloomington Property Maintenance Code at reinspection and have the same 60 day compliance deadline as the remainder of this property. PM-102.3, PM-102.8, & PM-605.1
- Complete the installation of the plumbing and all associated fixtures and their bases/cabinets where applicable. These items will be checked for compliance with the City of Bloomington Property Maintenance Code at reinspection and have the same 60 day compliance deadline as the remainder of this property. PM-102.3, PM-102.8, & PM-504.1
- Properly complete the installation and surface coat all wall and ceiling surfaces where applicable. These items will be checked for compliance with the City of Bloomington Property Maintenance Code at reinspection and have the same 60 day compliance deadline as the remainder of this property. PM-102.3, PM-102.8, & PM-304.3
- Install a smoke detection in an approved manner and location(s). If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it

- shall be located at least 4 inches from the wall. PM-704.1
- ➔ A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.
 - ➔ All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3
 - ➔ Once the painting is complete all light globes, cover plates and switch plates shall be reinstalled. PM-605.1

Unit #34

Kitchen

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. PM-605.1

Hallway

Provide operating power to smoke detector. PM-704.1

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #35

Kitchen

Repair the faucet to eliminate leak around base. PM-504.1

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #37

At the time of the cycle inspection this unit did not have power. Correct any electrical deficiencies before re-inspection. These items will be checked for compliance with the City of Bloomington Property Maintenance Code at re-inspection and have the same 60 day compliance deadline as the remainder of this property. PM-102.3, PM-102.8, & PM-605.1

Unit #23

Kitchen

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. PM-605.1

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #21

Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Unit #20

Properly repair or replace and paint the damaged or deteriorated wallboard. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Unit #19

This inspection revealed a serious roach infestation. Eliminate the roach infestation. PM 306.1

Bathroom

Properly repair or replace and paint the damaged or deteriorated drywall on the ceiling. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #17

Hallway

Provide operating power to smoke detector. PM-704.1

Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #16

Kitchen

Repair garbage disposal to function as intended. PM-504.1 & PM-605.1

Repair the clogged sink. PM 504.1

Bathroom

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. PM-605.1

Repair and clean the exhaust so that it functions as intended. PM-603.1

Unit #15

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Properly repair or replace and paint the damaged or deteriorated drywall on the ceiling. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Unit #14

Kitchen

Properly repair or replace broken or missing cabinet door. PM-304.3

Unit #13

Bathroom

Properly repair or replace and paint the damaged or deteriorated drywall on the ceiling. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Unit #12

Bathroom

Repair and clean the exhaust so that it functions as intended. PM-603.1

Bedroom

Properly repair or replace and paint the damaged or deteriorated drywall on the ceiling. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Unit #4

Kitchen

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. **The securing mechanism must be no more than 5 feet above the floor.** PM-704.3

Unit #6

Hallway

Provide operating power to smoke detector. PM-704.1

Bathroom

Discontinue the use of the bathrooms heating fan to heat the entire unit. This constitutes a hazard to the occupants and to the structure as the heater was not installed to meet the units heating requirements. PM 604.3

Properly repair or replace and paint the damaged or deteriorated drywall on the ceiling. This is to be done in a workmanlike manner. PM-304.2 & PM-304.3

Living Room

Repair or replace the baseboard heaters in the living room. PM-304.3 & PM-603.1

Unit #7

This inspection revealed a serious roach infestation. Eliminate the roach infestation. PM 306.1

EXTERIOR

Clean debris from the roof, gutters and downspouts. PM-303.7

Clean the dryer vent on the north side of the building. PM-403.5

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-45

Address: 809 N. Walnut

Petitioner: Pendragon Properties

Inspector: Robert Hoole

Staff Report: December 2, 2010 Cycle inspection report mailed
February 14, 2011 Remaining violations report mailed
February 24, 2011 Appeal filed

The petitioner is seeking an extension of time, citing weather as the reason for the delay. However, much of the work required is on the interior of the structure, including numerous life-safety issues. The units are now occupied and no reinspection has taken place.

Staff recommendation: Grant the extension of time.

Conditions: All repairs shall be completed and reinspected by the deadline below or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: Life-safety repairs (see attached list) April 22, 2011
All other items May 30, 2011

Attachments: Appeal form, cycle inspection report, life-safety repair list



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
FEB 24 2011

BY: _____

Petitioner's Name: Rita Foddrell for Pendragon Prop. Inc.

Petitioner's Address & Phone Number: 668 S. COLLEGE AVE. Bloomington, IN. 47403

Owner's Name: PENDRAGON PROP. INC. - Jeff JONES

Owner's Address & Phone Number: 668 S. COLLEGE AVE Bloomington IN. 812-332-7254 47403

Address of Property: 809 N. WALNUT ST - 4 APTS.

Occupant(s) Name(s): JENNIFER RUSSELL apt 2 / MARK BAILEY apt 1 / SCOTT M^S CRAWFORD apt 4

The following conditions must be found in each case in order for the Board to consider the request:

1. ☒ That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. ☒ That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
- ↳ Specify the items that need the extension of time to complete
 - ↳ Explain why the extension is needed
 - ↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
- ↳ Specify the code reference number you are appealing
 - ↳ Detail why you are requesting the variance
 - ↳ Specify the modifications and/or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
- ↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
- ↳ Detail the existing variance
 - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Rita Foddrell

Name (print): Rita Foddrell

(Will be assigned by BHQA)

11-TV-45

Petition Number: _____

(Please use the reverse side for further explanation and/or request)

812-279-1227 office & FAX
812-345-6975 cell



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Remodel all 3 apts.

Bad weather - could not run new wiring from
meter to inside.

This complete work can be done in
2/3 weeks or sooner

We will not be working on apt #3
at this time (IT WAS A BARBER SHOP)
Mr. Jones will at some point turn it
into an apt.

Thank you

Signature:

Betsy Toddrell

Date:

2-22-11



City of Bloomington
Housing and Neighborhood Development

Cycle Report

2247

OWNERS

=====

Jeff Jones
668 S. College Ave.
Bloomington, Indiana 47403

AGENT

=====

Rita Foddrill
3006-A Ted Jones Drive
Bedford, Indiana 47421

Prop. Location: 809 N WALNUT ST
Date Inspected: 10/12/2010
Inspectors: Robert Hoole
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 4 / 1
Number of Bedrooms: 1
Max # of Occupants: 2
Foundation Type: Basement
Attic Access: N/A
Accessory Structure:

VARIANCE

=====

09/11/2003 Special exception to the minimum ceiling height requirement in Unit "B", with the condition that hardwired smoke detectors with battery back-up must remain in operational condition at all times and no other head obstructions shall be placed lower than 6'10". Should these conditions be found not in compliance this variance shall be revoked.

INTERIOR

Windows in this structure have been replaced since the building was constructed. Use of various areas within the building has changed over time. At this time the International Building Code as adopted by the State of Indiana applies with regards to evaluating egress window compliance.

"4", north unit lowest level

Bath

Install a door on the bathroom. PM-503.1

62

Kitchen (9 x 9)

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Eliminate the leak from the sink faucet valve stem. PM-504.1

Utility room

Thoroughly clean and service the furnaces, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Living room (11 x 10)

Correct the polarity of the electrical receptacle on the west wall. The hot and neutral conductors are reversed.

PM-605.1

Replace the missing hardwired smoke detector. PM-704.1

Bedroom (7'8" x 11'5")

This room has an exterior door for egress.

South unit, lowest level

Use of this unit as a dwelling has not been approved by the City of Bloomington Planning Department and will not be inspected for compliance with the City of Bloomington Property Maintenance Code until Planning Department approval and plan review by HAND is complete.

NOTE: Electrical service panels for the entire building are located in this unit. Replace any overrated fuses in the service panels (15 amp for 14 gauge wire; 20 amp for 12 gauge wire; 30 amp for 10 gauge wire). PM-605.1

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

NOTE: This unit contains a fireplace. It has been sealed to prevent use.

Middle level unit

Front entry hallway

Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. PM-702.3

Living room (12 x 23)

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

Sun room

No violations noted.

Dining room (10 x 15)

No violations noted.

Hallway

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Replace the missing protective cover for the light fixture. PM-605.1

Front bedroom (10 x 12)

Properly repair the deteriorated west wall. PM-304.3

Existing Egress Window Measurements:

Height: 20 inches
Width: 24 inches
Sill Height: 24 inches
Openable Area: 3.33 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the windows were replaced. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of replacement, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Properly ground the electrical receptacle on the west wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Bath

Provide GFCI protection at the receptacle. PM-605.2

Relocate the electrical switch out of the shower area. PM-605.1

Rear bedroom (11 x 11)

Existing Egress Window Measurements:

Height: 20 inches
Width: 24 inches
Sill Height: 24 inches
Openable Area: 3.33 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the windows were replaced. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of replacement, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Kitchen (14 x 3)

Repair the receptacles adjacent to the stove to function as intended. PM-605.1

Provide GFCI protection at all receptacles serving countertop locations. PM-605.2

Replace the deteriorated receptacle behind the washer. PM-605.1

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Center unfinished room

This unit/room was not inspected at the time of this inspection, as it was not accessible. This unit/room must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** PM-104.4

Upper level unit

General note: Replace all missing electrical cover plates and HVAC registers. PM-605.1, PM-603.1

Entry hallway

Replace the missing light fixture. PM-605.1

Living room (15 x 11)

Replace the missing protective cover for the light fixture. PM-605.1

Replace the deteriorated ceiling tiles. PM-304.3

Replace the deteriorated entry door. PM-303.15

Dining room (12 x 13)

Properly ground all electrical receptacles. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Replace the missing protective cover for the light fixture. PM-605.1

Kitchen (8 x 4 ½)

Repair the sink drain to function as intended. PM-504.1

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Bath

Replace the missing tub faucet handles. PM-504.1

Replace the missing exhaust fan cover. PM-603.1

Repair the sink to function as intended. PM-504.1

West room (13 x 9)

Access to this room is through the bathroom. This room is not approved for sleeping or for use as habitable space. PM-503.1

Properly ground the electrical receptacle on the west wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Walk-in closet

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Properly attach the fluepipe to the chimney. PM-603.2

Bedroom (9 ½ x 13)

Existing Egress Window Measurements:

Height: 14 inches

Width: 30 inches

Sill Height: 36 inches

Openable Area: 2.91 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the windows were replaced. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of replacement, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Repair the window to remain fully open using hardware that is part of the window. PM-303.13.2

EXTERIOR

Replace all service entrance cables. PM-605.1

Properly secure the meter bases. PM-605.1

Install a cover on the electrical junction box at the northeast corner of the building. PM-605.1

Properly terminate the wires on the east wall near the northeast corner in an approved securely mounted junction box with a cover installed. PM-605.1

Properly repair / replace the deteriorated stairway near the southeast corner of the building. PM-303.10

Completely remove the small trees growing near the foundation on the south wall. PM-302.4.1

Secure the guardrails at the front and rear porches. PM-303.10

Install an appropriate and approved stairway at the front entrance to the middle level unit. PM-303.10

Remove the deteriorated wiring from the sign near the street. PM-605.1

Properly repair the deteriorated roof around the base of the chimney. PM-303.7

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Life-Safety Repairs at 809 N. Walnut Street

INTERIOR

"4", north unit lowest level

Kitchen (9 x 9)

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Utility room

Thoroughly clean and service the furnaces, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Living room (11 x 10)

Correct the polarity of the electrical receptacle on the west wall. The hot and neutral conductors are reversed.

PM-605.1

Replace the missing hardwired smoke detector. PM-704.1

South unit, lowest level

NOTE: Electrical service panels for the entire building are located in this unit. Replace any overrated fuses in the service panels (15 amp for 14 gauge wire; 20 amp for 12 gauge wire; 30 amp for 10 gauge wire). PM-605.1

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Middle level unit

Front entry hallway

Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. PM-702.3

Living room (12 x 23)

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

Hallway

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Front bedroom (10 x 12)

Existing Egress Window Measurements:

| | |
|-----------------------|---------------------|
| Height: | 20 inches |
| Width: | 24 inches |
| Sill Height: | 24 inches |
| Openable Area: | 3.33 sq. ft. |

The emergency egress window does not meet the minimum code requirements for the time the windows were replaced. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of replacement, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bath

Relocate the electrical switch out of the shower area. PM-605.1

Rear bedroom (11 x 11)

Existing Egress Window Measurements:

Height: 20 inches
Width: 24 inches
Sill Height: 24 inches
Openable Area: 3.33 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the windows were replaced. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of replacement, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Kitchen (14 x 3)

Repair the receptacles adjacent to the stove to function as intended. PM-605.1

Replace the deteriorated receptacle behind the washer. PM-605.1

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Upper level unit

General note: Replace all missing electrical cover plates. PM-605.1

Entry hallway

Replace the missing light fixture. PM-605.1

Kitchen (8 x 4 ½)

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Walk-in closet

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Properly attach the fluepipe to the chimney. PM-603.2

Bedroom (9 ½ x 13)

Existing Egress Window Measurements:

| | |
|-----------------------|---------------------|
| Height: | 14 inches |
| Width: | 30 inches |
| Sill Height: | 36 inches |
| Openable Area: | 2.91 sq. ft. |

The emergency egress window does not meet the minimum code requirements for the time the windows were replaced. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of replacement, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Repair the window to remain fully open using hardware that is part of the window. PM-303.13.2

EXTERIOR

Replace all service entrance cables. PM-605.1

Properly secure the meter bases. PM-605.1

Install a cover on the electrical junction box at the northeast corner of the building. PM-605.1

Properly terminate the wires on the east wall near the northeast corner in an approved securely mounted junction box with a cover installed. PM-605.1

Properly repair / replace the deteriorated stairway near the southeast corner of the building. PM-303.10

Secure the guardrails at the front and rear porches. PM-303.10

Install an appropriate and approved stairway at the front entrance to the middle level unit. PM-303.10

Remove the deteriorated wiring from the sign near the street. PM-605.1



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11 - TV - 46

Address: 915 - 1015 N. Rogers St.

Petitioner: Pendragon Properties/Rita Foddrill

Inspector: Norman Mosier

Staff Report: It was noted during the cycle inspection that there are numerous interior violations and exterior violations. The north stairway landing on Building B is failing and in need of reconstruction. Petitioner is requesting an extension of time to complete repairs.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 20, 2011 For all Life Safety Violations
May 13, 2011 For all Other Violations

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter, Photos.



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
FEB 24 2011

BY: _____

Petitioner's Name:

Rita Foddrill

Petitioner's Address & Phone Number:

668 S. COLLEGE AVE 812-332-7254
Bloomington, IN

Owner's Name:

JEFF JONES - PENDING PROP INC

Owner's Address & Phone Number:

SAME

Address of Property:

915 + 1005 + 1015 N. ROGERS ST.

Occupant(s) Name(s):

41 - units - 3 Buildings

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature:

Rita Foddrill

Name (print):

Rita Foddrill

(Will be assigned by BHQA)

11-TV-46

Petition Number:

(Please use the reverse side for further explanation and/or request)

812-279-1727 office 812-279-1727 FAX
812-345-6975 CELL



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

THIS CYCLE REPORT WAS ONLY GIVEN
TO ME LAST WEEK. MR. JONES SAID
SOMEONE ELSE WAS GOING TO DO THE REPAIRS.
NOW MY MAINTENANCE MEN WILL DO
THE WORK. WE CAN HAVE THIS DONE
IN 3/4 WEEKS. MAYBE SOONER DEPENDING
ON THE WEATHER.

I appreciate any help you can
give to me.

Thanks
Rita Foddrell

Signature: _____

Date: _____



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

2884

OWNERS

JONES, JEFFREY
668 S. COLLEGE AVE.
BLOOMINGTON, IN 47403

AGENT

FODDRILL, RITA (PENDRAGON PROPERTIES)
3006-A TED JONES DRIVE
BEDFORD IN 47421

Prop. Location: 915 - 1015 N ROGERS ST
Date Inspected: 12/13/2010
Inspectors: Norman Mosier
Primary Heat Source: Electric Baseboard
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 41 / 3
Number of Bedrooms: 1 each
Max # of Occupants: 2 each
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

NOTE:

- ☞ Only Units/Rooms with violations shall be listed on this report.
- ☞ All units are 1 bedroom apartments, with the exception of unit 13 in basement of BLDG C, (3 Bdrm).

GENERAL STATEMENTS:

Egress window measurements are as follows:

Existing Egress Window Measurements: Slider: Const. Yr. - 1972

Height: 45 inches

Width: 21 inches

Sill Height: 32 inches

Openable Area: 6.56 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

LS

Room dimensions are as follows:

Living Room – 11-10 x 11-4

Kitchen – 11-4 x 3-7

Bedroom – 11-4 x 11-3

Relocate the fire extinguishers in all units:

✓+ A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

INTERIOR:

BLDG. A

UNIT # 1

Living Room:

Repair the damage door casing and repair the door to latch properly. PM-303.15

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, south wall. PM-304.3

Kitchen:

✓+ Repair the loose receptacle on the north wall. PM-605.1

Bathroom:

Repair the door to latch properly. PM-304.6

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall at floor, adjacent to the tub. PM-304.3

UNIT # 2

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Bedroom:

✓+ Repair the electrical service panel door to function as intended, broken hinge. PM-605.1

UNIT # 3

Living Room:

Tighten the loose deadbolt on the entry door. PM-303.15

UNIT # 3 (continued)

Hallway:

✓ + Tighten the loose receptacle on the south wall. PM-605.1

Bathroom:

Replace the missing striker plate, and repair the door to latch properly. PM-304.6

Repair the loose tiles at the right end of the tub, and at floor. PM-304.3

Bedroom:

✓ + Repair the electrical service panel door to function as intended, broken hinge. PM-605.1

Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

UNIT # 4

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Bedroom:

Repair the door to fit the door jamb, and repair the door to latch properly. PM-304.6

UNIT # 5

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Hallway:

✓ + Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

UNIT # 6

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Bathroom:

Repair the loose tiles adjacent to the tub faucet. PM-304.3

UNIT # 6 (continued)

Bedroom:

✓+ All basement and ground floor windows and all upper windows adjacent to porch roofs, decks or other accessible exterior elements shall be capable of latching securely. Install a locking mechanism to the west window. PM-303.13.2

2ND LEVEL

UNIT # 7

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Kitchen:

Repair/replace the sink faucet, leaking at base of faucet. PM-504.1

Hallway:

✓+ Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Bathroom:

Repair/replace the damaged vanity door, left side. PM-304.3

Determine what is wrong with cold water faucet for the sink, (possible leak), shut off valve is off and stuck in place; Repair the faucet and the shut off valve to function as intended. PM-504.1

Bedroom:

Repair the door to fit the door jamb, and to latch properly. PM-304.6

Closet:

Install protective globe on light fixture in closet, or replace existing incandescent bulb with a fluorescent bulb. PM-605.1

UNIT # 8

Kitchen:

Repair the garbage disposal to function as intended. PM-603.1

Hallway:

✓+ Replace the broken base for the smoke detector, and secure smoke detector to the wall, with the following specifications: If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

UNIT # 9

Bathroom:

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Bathroom:

Remove the old caulk around the tub and replace with new caulk. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, loose tiles, east wall, adjacent to the tub, behind toilet. PM-304.3

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Bedroom:

Repair the door to latch properly. PM-304.6

Repair/replace the broken hinge on the electrical service panel door. PM-605.1

UNIT # 10

Kitchen:

Tighten the loose strain relief connector on the garbage disposal. PM-605.1

Repair or replace the exhaust fan above the stove so that it functions as intended. PM-403.3

Hallway:

Tighten the loose receptacle. PM-605.1

Provide operating power to smoke detector. PM-704.1

Bathroom:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, loose tiles, east wall, adjacent to the tub, behind toilet. PM-304.3

Tighten the loose doorknob. PM-304.6

Bedroom:

Repair the door to fit the door jamb, and to latch properly. PM-304.6

UNIT # 11

Living Room:

Tighten the loose deadbolt to function as intended. PM-303.15

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

UNIT # 11 (continued)

Kitchen:

Repair or replace the exhaust fan above the stove so that it functions as intended. PM-403.3

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Properly repair or replace loose, damaged, or missing floor covering. PM-304.4

Replace the missing protective cover for the light fixture. PM-605.1

UNIT # 12

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

Bathroom:

Replace the missing vanity doors. PM-304.3

Common Laundry Room:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Repair the door to latch and be weather tight. PM-303.15

✓* Secure the receptacles and the electrical conduit to the west wall. PM-605.1

✓* Eliminate all unused openings in service panel/junction box, west wall, by installing approved rigid knockout blanks. PM-604.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall. PM-304.3

Storage Shed:

Replace the deteriorated fascia board on the south side of structure. PM-303.7

Crawlspace:

No access, replace the missing access door on the north end of structure. PM-301.1

EXTERIOR:

BLDG A

Clean debris from the roof, gutters and downspouts. PM-303.7

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

Completely paint all of the metal handrails on upper level. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

Remove all furniture, trash, scattered trash from dumpster area. PM-302.1

BLDG. B

INTERIOR:

UNIT # 1

Hallway:

✓ Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Bathroom:

Replace the missing protective cover for the light fixture. PM-605.1

Closet:

Replace the missing protective cover for the light fixture. PM-605.1

UNIT # 2

Living Room:

✓ Repair the loose receptacle protruding from the north wall. PM-605.1

Hallway:

✓ Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Bedroom:

Replace the missing doorknob on the door. PM-304.6

UNIT # 3

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

7A

UNIT # 3 (continued)

Repair/replace the non functioning garbage disposal, stuck. PM-504.1

✓ Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

✓ Bedroom:

All basement and ground floor windows and all upper windows adjacent to porch roofs, decks or other accessible exterior elements shall be capable of latching securely. Install a locking mechanism to the window. PM-303.13.2

Closet:

Install protective globe on light fixture in closet, or replace existing incandescent bulb with a fluorescent bulb. PM-605.1

UNIT # 4

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

Bathroom:

Clean and service the exhaust fan. PM-603.1

Bedroom:

Repair the door to latch properly. PM-304.6

✓ Properly ground the electrical receptacle on the north wall and tighten receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

✓ Repair/replace the defective lock on the window. PM-303.13.2

✓ Closet:

Secure the hanging light fixture to its base. PM-605.1

UNIT # 5

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

UNIT # 5 (continued)

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Bedroom:

Repair the door to latch properly. PM-304.6

UNIT # 6

Living Room:

Repair the door to latch properly and to lock properly. PM-303.15

Bedroom:

Repair the door to latch properly. PM-304.6

Install the missing cover on the electrical service panel. PM-605.1

UNIT # 7

Hallway:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Bedroom:

Properly ground the electrical receptacle on the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

UNIT # 8

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Kitchen:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Hallway:

Provide operating power to smoke detector. PM-704.1

✓ UNIT # 8 (continued)

Bathroom:

+ Replace the defective GFCI, won't trip. PM-605.1

Bedroom:

Repair the door to latch properly. PM-304.6

Closet:

Replace the missing protective cover for the light fixture. PM-605.1

2nd Level

UNIT # 9

Hallway:

Replace the missing protective cover for the light fixture. PM-605.1

UNIT # 10

Bathroom:

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

UNIT # 11

Living Room:

Tighten the loose deadbolt to function as intended. PM-303.15

Living Room:

✓ + Properly ground the electrical receptacle on the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

✓ + Repair the receptacles on the west wall to have correct polarity. (hot/neutral reverse) PM-605.1

Bedroom:

Repair the door to latch properly. PM-304.6

Closet:

Replace the missing protective cover for the light fixture. PM-605.1

UNIT # 12

Living Room:

Tighten the loose deadbolt to function as intended. PM-303.15

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

✓ + Hallway:

Provide operating power to smoke detector. PM-704.1

UNIT # 12 (continued)

Bathroom:

Tighten the loose tub faucet handles. PM-504.1

Bedroom:

Repair the door to fit the door jamb and to latch properly. PM-304.6

UNIT # 13

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

UNIT # 14

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Kitchen:

Repair or replace the exhaust fan above the stove so that it functions as intended. PM-403.3

✓ **Hallway:**

Provide operating power to smoke detector. PM-704.1

Closet:

Replace the missing protective cover for the light fixture. PM-605.1

UNIT # 15

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

✓ Properly ground the electrical receptacle on the south wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Kitchen:

Replace the paint clogged receptacle on the east wall. PM-605.1

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

✓ **Hallway:**

Provide operating power to smoke detector. PM-704.1

UNIT # 15 (continued)

Bathroom:

Properly repair the tub faucet to eliminate the constant dripping. PM-504.1

Bedroom:

Replace all of the paint clogged receptacles in this room. PM-605.1

UNIT # 16

Living Room:

Properly install a weather strip on the entrance door to exclude rain as completely as possible, and to substantially exclude air infiltration. PM-303.13

Kitchen:

Repair garbage disposal to function as intended. PM-504.1 & PM-605.1

Bedroom:

Repair the door to latch properly. PM-304.6

CRAWLSPACE:

Properly repair the water leak under unit # 3, frozen water line burst, and remove the excess water. PM-504.1

BLDG B
EXTERIOR:

Clean debris from the roof, gutters and downspouts. PM-303.7

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

Remove all furniture, trash, scattered trash from dumpster area. PM-302.1

Properly reconnect all gutters/downspouts in a manner that reasonably directs water away from the structure, NW corner of structure. PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Install the missing A/C trim on unit 12 & unit 15. PM-303.6

Repair the failing 2nd story landing on the north end of structure. This includes but is not limited to replacing damaged concrete landing, deteriorated handrails and deteriorated structural members.
PM-304.2 & PM-304.4

UNSAFE
ORDERS

BLDG C
INTERIOR:

UNIT # 1

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Bedroom:

Repair the damaged door casing and repair the door to latch properly. PM-304.6

Restore power to the receptacle on the east wall adjacent to the closet. PM-605.1

Closet:

Install protective globe on light fixture in closet, or replace existing incandescent bulb with a fluorescent bulb. PM-605.1

UNIT # 2

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Hallway:

✓ + Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Bedroom:

Repair the hole in the door. PM-304.6

✓ +? Repair the sliding window to open as intended, install window lock, and to be weather tight. PM-303.12 & PM-303.12

UNIT # 3

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

Repair the garbage disposal to function as intended, stuck. PM-504.1

Hallway:

✓ - Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

UNIT # 3 (continued)

Bathroom:

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Repair the hot water knob on the sink not to leak. PM-504.1

Replace the missing tub faucet handle. PM-504.1

✓ **Bedroom:**

Repair the broken electrical service panel door (hinge) to function as intended. PM-605.1

UNIT # 4

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Determine the source and eliminate the water leak. PM-504.1

Replace the defective garbage disposal, separated case and leaking. PM-504.1

Bathroom:

Remove the old caulk from around the top of the tub and replace with new caulk. PM-304.3

Bedroom:

Repair the door to latch properly. PM-304.6

✓ **Closet:**

Repair/replace the defective light fixture, pull chain will not function. PM-605.1

UNIT # 5

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Repair the door to latch properly. PM-303.15

Repair the hole in the wall behind the door. PM-304.3

✓ **Hallway:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

UNIT # 5 (continued)

Bathroom:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. East wall, and adjacent to tub at floor. PM-304.3

Seal edge of floor covering adjacent to bathtub. PM-304.1

Seal the base of shower surround at the top of the tub. PM-304.1

Properly repair, then clean and surface coat molded ceiling or stained wall area. PM-304.3

✓ Bedroom:

Repair the broken electrical service panel door (hinge) to function as intended. PM-605.1

UNIT # 6

✓ Living Room:

+ Repair the loose receptacle on the east wall. PM-605.1

✓ Kitchen:

+ Repair the loose fan and light control switch on the range hood. PM-605.1

Bathroom:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. PM-304.3

Properly repair, then clean and surface coat damaged or stained ceiling area. PM-304.3

UNIT # 7

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Bathroom:

Properly repair floor. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. PM-304.2 & PM-304.4

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Bedroom:

Repair the door to latch properly. PM-304.6

✓ + Repair the broken electrical service panel door (hinge) to function as intended. PM-605.1

UNIT # 8

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

✓ Replace the missing receptacle cover plate for the receptacle on the east wall. PM-605.1

Hallway:

✓ Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Bathroom:

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Properly repair the cold water sink faucet handle not to leak. PM-504.1

Closet:

✓ Install protective globe on light fixture in closet, or replace existing incandescent bulb with a fluorescent bulb. PM-605.1

UNIT # 9

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

Hallway:

✓ Provide operating power to smoke detector. PM-704.1

Bedroom:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

UNIT # 10

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

✓ + Replace the discharged fire extinguisher. PM-704.3

✓ + Repair/replace the range hood fan to function as intended, stuck. PM-605.1

Bathroom:

Repair/replace the exhaust fan to function as intended, (rattles). PM-605.1

Closet:

Install protective globe on light fixture in closet, or replace existing incandescent bulb with a fluorescent bulb. PM-605.1

UNIT # 11

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Kitchen:

Repair the garbage disposal to function as intended, stuck. PM-605.1

Hallway:

✓ + Provide operating power to smoke detector. PM-704.1

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Clean and service the exhaust fan. PM-603.1

Bedroom:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, south wall, adjacent to door. PM-304.3

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

UNIT # 12

Living Room:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

UNIT # 12 (continued)

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Properly repair the leaking tub spout at wall. PM-504.1

Properly repair the leaking cold water faucet handle for the tub. PM-605.1

Bedroom:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

UNIT # 13

N Bedroom:

Secure the loose trim on the bulkhead. PM-304.3

Existing Egress Window Measurements: Slider: Const. Yr. - 1972

Height: 46 inches

Width: 34 inches

Sill Height: 38 inches

Openable Area: 10.86 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

S Bedroom

Existing Egress Window Measurements: Slider: Const. Yr. - 1972

Height: 45 inches

Width: 21 inches

Sill Height: 35 inches

Openable Area: 6.56 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

✓ **Dining Room:**

Replace the missing receptacle cover plate on the east wall. PM-605.1

✓ **Replace the missing receptacle cover plate on the north wall. PM-605.1**

Kitchen:

Repair/replace the defective garbage disposal. PM-504.1

Bathroom:

Replace the defective exhaust fan. PM-605.1

UNIT # 13 (continued)

E Bedroom:

Existing Egress Window Measurements: Slider: Const. Yr. - 1972

Height: 46 inches

Width: 34 inches

Sill Height: 38 inches

Openable Area: 10.86 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

✓ **Storage Room:**

Secure the loose wires sticking out of junction box above the entry door, (interior) and install the missing cover plate on the junction box. PM-605.1

✓ **Crawlspace:**

Secure the receptacle for the sump pump to the north wall. PM-605.1

EXTERIOR:

Remove the tree adjacent to the foundation on the north side of structure. All trees on premises shall be in good health and pose no danger to persons or building. PM-302.4.1

Remove the vines that are growing on the structure, north and west sides. PM-102.8, PM-302.4, & PM-303.1

Replace the missing trim around A/C units for apartments 5 & 6, west side of structure. PM-303.6

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This violation has a one-year deadline from the date the Cycle Inspection Report.)

Clean debris from the roof, gutters and downspouts. PM-303.7

Secure guttering to the structure on the east and west sides. PM-303.7

Secure the loose soffit on the west side of structure. PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance, NE corner of structure. PM-302.4.1

Replace the deteriorated fascia board on the east side of structure. PM-303.7

Remove all furniture, trash, scattered trash from dumpster area. PM-302.1

OTHER VIOLATIONS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

2-25-11 NM

















City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: April 13, 2011

Petition Type: A petition to rescind a variance

Petition Number: 11-RV-47

Address: 100 E. Miller

Petitioner: HAND

Inspector: Robert Hoole

Staff Report: September 23, 2010 Cycle inspection report mailed
December 3, 2010 Reinspection
December 7, 2010 Appeal filed
January 12, 2011 Variance granted

During the cycle inspection report it was noted that fuel-fired furnaces and water heaters were located in and drawing combustion air from the 1st floor bathrooms. The petitioner sought a variance to allow the fuel-fired appliances to remain in their current location without modification. BHQA granted a variance with conditions. Subsequently it was determined that the State of Indiana has no records of the code requirements in place at the time of construction and therefore the presence of fuel-fired appliances in the bathrooms could not substantiated as a violation.

Staff recommendation: Rescind the variance

Conditions:

Compliance Deadline:

Attachments:

Sh



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: HAND

Petitioner's Address & Phone Number: PO Box 100, Bloomington IN 47402

Owner's Name: RCR Properties LLC

Owner's Address & Phone Number: 1701 Broadmoor Dr. Ste. 200 Champaign IL 61811

Address of Property: 100 E. Miller Dr.

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☐ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☒ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Robert Hoole

Name (print): Robert Hoole

(Will be assigned by BHQA)

11-RV-47

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-49

Address: 1218 N. College Ave.

Petitioner: Pavilion Properties Mgt., LLC.

Inspector: Maria McCormick

Staff Report: March 5, 2010 Completed Cycle Inspection
June 28, 2010 Completed Re-inspection
January 12, 2011 Sent Exterior Reminder
March 2, 2011 Received Appeal

In the cycle inspection it was noted that the exterior of the structure need to be scraped and painted. During the painting prep process damage to the soffits was uncovered and the petitioner is requesting an additional 60 days to complete repairs.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 1, 2011

Attachments: Application for Appeal, Exterior Extension Reminder

[Handwritten mark]

97



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
MAR 02 2011

BY: _____

Property Address: 1218 N College Ave

Petitioner's Name: Pavilion Properties, Mgt, LLC

Address: 601 N. Walnut St.

City: Bloomington State: IN Zip Code: _____

Phone Number: 812-333-2772 E-mail Address: _____

Owner's Name: Seiber - Sats

Address: P.O. Box 366

City: Bloomington State: IN Zip Code: 47402

Phone Number: _____ E-mail Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: TV

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-49

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Extension of time to complete repairs
of soffits.

Signature (Required):

Name (Print):

Mark Hoffman

Date: 3/2/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

JAN 12 2011

Exterior Extension Reminder

195

OWNERS

SEEBER, JOHN E.
P.O. BOX 366
BLOOMINGTON, IN 47402

Prop. Location: 1218 N COLLEGE AVE
Date Inspected: 03/02/2010
Inspectors: Maria McCormick
Primary Heat Source: Electric
Property Zoning: CG
Number of Stories: 2

AGENT

PAVILION PROPERTIES
601 N. WALNUT STREET
BLOOMINGTON, IN 47404

Number of Units/Structures: 2 / 1
Number of Bedrooms: 5/1
Max # of Occupants: 5/1
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Garage

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on March 02, 2011.

If you have made all of the repairs on this report, contact our office immediately to schedule the required drive-by re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item has a compliance deadline of March 2, 2011.)

100



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-51
Address: 424 E. 6th Street
Petitioner: Kenneth Kinney
Inspector: Maria McCormick
Staff Report: November 29, 2010 Completed Cycle Inspection
February 22, 2011 Completed Re-inspection

During the cycle inspection it was noted that many of the windows had missing or cracked glazing compound that was in need of repair or replacement. Due to the time of the year that the cycle inspection was conducted the petitioner is requesting an extension of time until May 15, 2011 to complete this work.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: May 15, 2011

Attachments: Application for Appeal, Cycle Report, Remaining Violations Report

PA



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAR 07 2011

BY:

Petitioner's Name:

Kenneth Kinney

Petitioner's Address & Phone Number:

508 E 8th

Owner's Name:

K Kinney

Owner's Address & Phone Number:

334-2188

Address of Property:

424 E 6th

Occupant(s) Name(s):

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature:

K Kinney

Name (print):

K KINNEY

Petition Number:

11-TV-51

(Please use the reverse side for further explanation and/or request).



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

ase write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or
ification(s) for your request, the amount of time needed to bring the property into compliance, as well as any
lifications and/or alterations you are suggesting.)

Glazing of Windows is Temperature Sensitive

Since House Has Always Siding
all the Painting is Around Windows

It Makes Sense to do Painting @ Glazing

I would like an extension of time for
Glazing - May 15

atures:

K. Kinney

Date:

4/7/11



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

2194

OWNERS

KINNEY, KENNETH K.
508 E. 8TH ST
BLOOMINGTON, IN 47408

UNDERWOOD, CHERYL
508 N. WASHINGTON ST.
BLOOMINGTON, IN 47408

12/2/11
Prop. Location: 424 E 6TH ST
Date Inspected: 11/29/2010
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

INTERIOR:

Main Level -

East Living Room 15-6 x 15-0:

- C Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2
- C Replace the missing electrical receptacle cover on the floor receptacle to the left of the entry door. PM-605.1

West Living Room 10-9 x 12-0:

- C Repair the hole in the west wall. PM-304.3

Dining Room 12-4 x 13-3:

- C Install/replace batteries in smoke detectors so that they function as intended. PM-704.1

Kitchen:

C All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

2/22/11 PM
Bathroom:

C Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. Properly repair the wall areas above the shower surround. PM-304.3

West Bedroom 15-0 x 10-4:

C Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

C Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Existing Egress Window Measurements:

Height: 25 ½ inches

Width: 38 ½ inches

Sill Height: 21 ½ inches

Openable Area: 6.84 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Hallway:

No violation noted.

2nd Level –

Stairway/Landing/Hallway:

C Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

C Repair the hole in the wall between the bathroom and the northwest bedroom and on the landing area. PM-304.3

SE Bedroom 16-3 x 12-4:

C Repair the holes in the north and east walls. PM-304.3

C Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Existing Egress Window Measurements:

Height: 30 ½ inches

Width: 25 inches

Sill Height: 22 inches

Openable Area: 5.28 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

3/22/11
NE Bedroom 13-4 x 15-4:

C Repair the hole in the wall. PM-304.3

Existing Egress Window Measurements:

Height: 30 ½ inches

Width: 25 inches

Sill Height: 22 inches

Openable Area: 5.28 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

SW Bedroom 15-4 x 16-4:

C Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

C Repair the window south to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

C Properly re-caulk around the countertop to eliminate water infiltration. PM-304.3

Existing Egress Window Measurements:

Height: 30 ½ inches

Width: 25 inches

Sill Height: 22 inches

Openable Area: 5.28 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

NW Bedroom 12-0 x 10-8:

No violation noted.

Existing Egress Window Measurements:

Height: 30 ½ inches

Width: 25 inches

Sill Height: 22 inches

Openable Area: 5.28 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

No violation noted.

Basement –

NC Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

C Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

C Repair the light fixture to the south of the furnace that is hanging by wires to be properly installed and function as intended. PM-605.1

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item has a compliance deadline of November 29, 2011.)

Replace all missing and deteriorated (cracked and peeling) glazing compound on the windows. PM-303.13

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



**City of Bloomington
Housing and Neighborhood Development**

Remaining Violations Report

2194

OWNERS

KINNEY, KENNETH K.
508 E. 8TH ST
BLOOMINGTON, IN 47408

UNDERWOOD, CHERYL
508 N. WASHINGTON ST.
BLOOMINGTON, IN 47408

Prop. Location: 424 E 6TH ST
Date Inspected: 11/29/2010
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

108

Basement –

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item has a compliance deadline of November 29, 2011.)

Replace all missing and deteriorated (cracked and peeling) glazing compound on the windows. PM-303.13

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary **BMC16.12.050 (d).**
- Inventory & Damage List: The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement **BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-52
Address: 812 E. 8th Street
Petitioner: Kenneth Kinney
Inspector: Maria McCormick
Staff Report: April 1, 2010 Completed Cycle Inspection
June 1, 2010 Completed Re-inspection
February 2, 2011 Sent Exterior Reminder

During the cycle inspection it was noted that the exterior of the structure need to be scraped and painted. The petitioner is requesting an additional 90 days to complete the exterior painting of this house due to issues with the painting contractors lead safe certification. The current deadline is April 1, 2011 one year from the cycle date.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 1, 2011

Attachments: Application for Appeal, Cycle Report, Exterior Extension Reminder

jd

110



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: Kenneth Kinney / Judy Fultford

Petitioner's Address & Phone Number: 508 E. 8th St. Bloomington, IN 47408

Owner's Name: Kenneth Kinney

Owner's Address & Phone Number: 508 E. 8th St. Bloomington, IN 47408

Address of Property: 812 East 8th Street Bloomington, IN 47408

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
- ↳ Specify the items that need the extension of time to complete
 - ↳ Explain why the extension is needed
 - ↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
- ↳ Specify the code reference number you are appealing
 - ↳ Detail why you are requesting the variance
 - ↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
- ↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
- ↳ Detail the existing variance
 - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: K. Kinney

Name (print): K. KINNEY

(Will be assigned by BHQA)

11-TV-52

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

The house at 812 E. 8th Street is supposed to have the following: "Scrape & paint exterior surface where paint is peeling or wood is exposed." We met with a painting Contractor last spring, the same day as Little 5. We had 3 houses we needed painted per HAND's request and he agreed to paint all 3. Two of them needed to be completed by September 2010. He completed them. The 3rd, this one, had until the end of March 2011. We thought he would paint last fall but assured us he would paint it by the March deadline. He continued to tell us it would be painted until he came by our house

Signature: _____

Date: _____

^{is week} and told us he needed to get a lead ^{safe} certification or he could be fined a lot of money. He is signed up to get the certification but ^{the class} isn't until May 25, 2011. He says he can start painting for us



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Continued) The following day, we trusted him as he had a good track record with us as he has painted 3 of our rental properties to date. My husband is ill and I am representing him at this time. I am trying to stay with the same contractor as he has worked with him in the past. I would like a 90 day extension to get a quality job done legally. He will paint the entire house using the color scheme that is on it now.

Signature:

K. Kinney

Date:



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

2688

OWNERS

KINNEY, KENNETH K.
508 E. 8TH ST
BLOOMINGTON, IN 47408

UNDERWOOD, CHERYL
508 N. WASHINGTON ST.
BLOOMINGTON, IN 47408

Prop. Location: 812 E 8TH ST
Date Inspected: 03/25/2010
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 4
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

VARIANCE

02/14/2007 Granted a variance to the minimum egress requirement in the middle bedroom with the following conditions.

Single and multiple-station, hard wired smoke alarms shall be installed in the following locations and in accordance with following criteria: PM-102.3, PM-102.8, & PM-704.2

1. In each sleeping room
2. Outside of each sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable.
5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery.

114

7. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.
8. Smoke detection shall be maintained in manner so that it functions as intended and is in compliance with the aforementioned installation requirements.
9. Should the structure ever be determined to be in a state of non-compliance with the abovementioned conditions the variance may be rescinded at the discretion of the code official.

INTERIOR:

Living Room 19-6 x 12-3:

Every window shall be capable of being easily opened and held in position by its own hardware. Windows are currently painted shut. PM-303.13.2

NW Bedroom 11-0 x 11-10:

No violations noted.

Existing Egress Window Measurements:

Height: 51 ½ inches

Width: 33 inches

Sill Height: 28 ½ inches

Openable Area: 11.80 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Front Hallway:

NC Install/replace batteries in smoke detectors so that they function as intended. PM-704.1

Bathroom:

C Install/replace batteries in smoke detectors so that they function as intended. PM-704.1

C Remove the deteriorated caulk and re-caulk at the base of shower surround at the top of the tub. PM-304.1

Properly clean the mold and mildew and re-paint the ceiling area. PM-304.3

Center Bedroom 11-11 x 11-7 / Half Bath:

No violations noted.

Existing Egress Window Measurements:

Height: 26 inches

Width: 29 inches

Sill Height: 51 inches

Openable Area: 5.25 sq. ft.

Note: These measurements are for reference only. There is a variance in place for this window's emergency egress requirements.

Kitchen:

C All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

SE Bedroom 7-2 x 13-7:

C Every window shall be capable of being easily opened and held in position by its own hardware. Windows are currently painted shut. PM-303.13.2

Existing Egress Window Measurements:

Height: 51 ½ inches

Width: 33 inches

Sill Height: 28 ½ inches

Openable Area: 11.80 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Basement:

C Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

EXTERIOR:

C Properly repair the hole in the siding on the SW corner of the house. PM-303.6

C Repair the damaged screens on the screened in porch. PM- 303.10

NV Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item has a compliance date of March 25, 2011.)

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



**City of Bloomington
Housing and Neighborhood Development**

FEB 08 2011

Exterior Extension Reminder

2688

OWNERS

=====

KINNEY, KENNETH K.
508 E. 8TH ST
BLOOMINGTON, IN 47408

UNDERWOOD, CHERYL
508 N. WASHINGTON ST.
BLOOMINGTON, IN 47408

Prop. Location: 812 E 8TH ST
Date Inspected: 03/25/2011
Inspectors: McCormick/Arnold
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Basement
Attic Access: No
Accessory Structure: none

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 03/25/2011.

If you have made all of the repairs on this report, contact our office immediately to schedule the required drive-by re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Scrape and paint the exterior surfaces where paint is peeling or wood is exposed. PM-303.2 (This item has a compliance date of March 25, 2011).

118



City of Bloomington
H.A.N.D.

Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time

Meeting Date: 13 April 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-54

Address: 3215 E. Braeside Dr.

Petitioner: The Legacy Group/Scott May

Inspector: Norman Mosier

Staff Report: Conducted Complaint Inspection – 18 February 2011

It was noted during a complaint inspection that the southeast end of building on the 2nd floor was failing structurally. Petitioner is requesting an extension of time to relocate tenants and to complete structural repairs.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 1, 2011

Attachments: Complaint, Complaint Inspection Report, BHQA Appeal, Petitioner's Letter, Photos.



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
MAR 03 2011

BY: _____

Property Address: 3215 E Braeside Dr., Bloomington IN 47408

Petitioner's Name: The Legacy Group

Address: 3112 Braeside Drive,

City: Bloomington **State:** IN **Zip Code:** 47408

Phone Number: 812-339-1400 **E-mail Address:** legacygroup-3112@sbcglobal.net

Owner's Name: Scott G. May

Address: 701 Summitview Place

City: Bloomington **State:** IN **Zip Code:** 47401

Phone Number: 812-331-2666 **E-mail Address:** _____

Occupants: Sheya & David Martin

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-54

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

The occupying Tenants (a family of 4) still possess the unit until the agreed upon date of 3/25/11 @ 1pm. We are releasing them from their lease early and that was the soonest they could vacate. The work necessary to do the repairs will require the unit to be empty. We are requesting at least a 30 day extension, preferably a 60 day Extension. Thank you for considering our request.

Signature (Required):

Name (Print):

Date:

3/2/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

COMPLAINT

COMPLAINANT'S

NAME David M. T. ADDRESS 3215 E Braeside Dr. PHONE# 219-0683

ADDRESS OR LOCATION OF PROBLEM 3215 E Braeside Dr. Bloomington ⁴¹⁷⁴¹⁸

NATURE OF
PROBLEM

3rd Bedroom found uneven floors
upstairs furniture falls over.

HOW LONG HAS THIS PROBLEM EXISTED? _____

HAS THE OWNER/AGENT BEEN NOTIFIED? Yes DATE NOTIFIED _____

IN PERSON ☒ IN WRITING ☒ BY PHONE ☒

SIGNATURE: _____

COMPLAINT RECEIVED

BY _____ DATE _____ TIME _____

Housing & Neighborhood Development

OWNER'S NAME _____ ADDRESS _____

HOUSING CODE FILE EXISTS _____ YES _____ NO CITY LIMITS / 2 MILE FRINGE

NEIGHBORHOOD COMPLIANCE OFFICER _____

COMMENTS _____



City of Bloomington
Housing and Neighborhood Development

Complaint Inspection Report

47

OWNERS

MAY, SCOTT G.
701 SUMMITVIEW PLACE
BLOOMINGTON, IN 47401

AGENT

LEGACY GROUP
3112 BRAESIDE DR.
BLOOMINGTON IN 47408

Prop. Location: 3100 E BRAESIDE DR
Date Inspected: 02/18/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 140 / 15
Number of Bedrooms: 1, 2, 3
Max # of Occupants: 2,4,5
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

The following items are the result of a complaint inspection conducted on 02/18/2011. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines of up to \$100.00/day. If you have questions regarding this report, please contact this office at 349-3420.

UNIT 3215

SE Bedroom:

Properly repair the soft and sagging floor. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. PM-304.2 & PM-304.4

Properly repair the sagging window sill. PM-303.13

123

SW Bedroom:

Properly repair the soft floor. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. PM-304.2 & PM-304.4

Living Room:

Properly repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Provide a signed and stamped statement from a structural engineer stating that the building is structurally sound.

2-18-11 STANDING ON STAIRWAY LOOKING EAST ACROSS CEILING (SAGGING)



2-18-11 LOWEST POINT OF FLOOR-ADJACENT TO CLOSET + DRESSER



2ND FLOOR

2-18-11 SE BEDROOM NOTICE SPACE BETWEEN WALL + DRESSER

DRESSER IS FREE STANDING



2-18-11 FREE STANDING CD SHELF



2-18-11 SE BEDROOM SAGGING WINDOW SILL





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-55

Address: 531 E. Smith Avenue

Petitioner: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Inspector: Jo Stong

Staff Report: January 24, 2011: Conducted cycle inspection
January 28, 2011: Sent cycle report
March 1, 2011: Received appeal

During a cycle inspection it was noted that the emergency egress windows in this unit did not meet the minimum code requirements for a multi-unit structure built in 1985. Measurements are as follows:

| | |
|--|-----------------------------------|
| Openable area required: 4.75 sq. ft. | Existing area: 5.19 sq. ft. |
| Clear width required: 18 inches | Existing width: 34 inches |
| Clear height required: 24 inches | Existing height: 22 inches |
| Maximum sill height: not more than 48 inches above finished floor | Existing sill: 31 inches |

The petitioner is seeking a variance from the State of Indiana and is requesting an extension of time until the State makes a decision.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadlines: June 13, 2011 for variance from the State
April 27, 2011 for all other violations

Attachments: Cycle report, copy of appeal



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47408
812-349-3420
hand@bloomington.in.gov

RECEIVED
MAR 01 2011

BY: _____

Property Address: 531 East Smith Avenue

Petitioner's Name: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Address: 2676 East 2nd Street, P.O. Box 5727

City: Bloomington **State:** Indiana **Zip Code:** 47407

Phone Number: (812) 336-2026 **E-mail Address:** jsabbagh@homefinder.org

Owner's Name: Edward Herrmann

Address: 2420 Canada Drive (Herrmann)

City: Bloomington **State:** Indiana **Zip Code:** 47401

Phone Number: 812-334-8108 **E-mail Address:** _____

Occupants: Tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: V)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

11-TV-55

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A variance request has been sent to the Indiana Department of Homeland Security for the following reason:

Code: BMC-16.02.040(b)

The height of the opening in the bedroom is 2" short of code requirement in unit 531.

The width of the opening of both units exceeds the code requirement by 16". The openable area required is 4.75 sq.ft. and the windows existing area is 5.19 sq.ft., making it larger than required. These units were built 20+ years ago, and this is the first time I have heard anything about a problem with the windows. If the windows did not meet the building code requirement when the building was built, how did the builder pass his building inspections and get an occupancy permit in the first place. I am, therefore, requesting a variance as this requirement is not practical at this time and would create a hardship on the owner and violate the overall appearance of the building as all the windows are the same in all sixteen units at this location.

I am awaiting the decision of the Department of Homeland Security and need to file for an extension at this time.

Signature (Required):

Joanne Sabbagh

Name (Print):

Joanne Sabbagh

Date:

2/23/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

132



531 E. Smith Avenue

January 26, 2011

Page 1 of 3

**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

1763

OWNERS

HERRMANN, EDWARD W.
2420 CANADA DR.
BLOOMINGTON, IN 47401

AGENT

TEMPO PROPERTIES, INC
P.O. BOX 5727
BLOOMINGTON IN 47402

Prop. Location: 531 E SMITH AVE
Date Inspected: 01/24/2011
Inspectors: Jo Stong
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

INTERIOR:

Kitchen (12-5 x 11-3):

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. PM-704.3**

Dining Room (6-7 x 5-3):

No violations noted.

137

Living Room (15-8 x 12-3):

Remount the hard-wired smoke detector on the east wall. PM-704.1

Provide operating power to smoke detector on the west wall (or remove it). PM-704.1

Southwest Bedroom (13-4 x 9-8):

No violations noted.

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Bathroom:

Install a doorknob on the entry door (from the southeast bedroom). PM-304.6

Attic:

No violations noted.

Southeast Bedroom (11-3 x 9-8):

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

Openable area required: 4.75 sq. ft.

Existing area: 5.19sq. ft.

Clear width required: 18 inches

Existing width: 34 inches

Clear height required: 24 inches

Existing height: 22 inches

Maximum sill height: not more than

48 inches above finished floor

Existing sill: 31 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR:

No violations noted.

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OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

135



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-56

Address: 537 E. Smith Avenue

Petitioner: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Inspector: Jo Stong

Staff Report: January 24, 2011: Conducted cycle inspection
January 28, 2011: Sent cycle report
March 1, 2011: Received appeal

During a cycle inspection it was noted that the emergency egress windows in this unit did not meet the minimum code requirements for a multi-unit structure built in 1985. Measurements are as follows:

| | |
|--|-----------------------------------|
| Openable area required: 4.75 sq. ft. | Existing area: 5.43 sq. ft. |
| Clear width required: 18 inches | Existing width: 34 inches |
| Clear height required: 24 inches | Existing height: 23 inches |
| Maximum sill height: not more than 48 inches above finished floor | Existing sill: 30 inches |

The petitioner is seeking a variance from the State of Indiana and is requesting an extension of time until the State makes a decision.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 13, 2011 for variance from the State
April 27, 2011 for all other repairs

Attachments: Cycle report, copy of appeal



Application For Appeal

To The

Board of Housing Quality Appeals

P.O. Box 100

Bloomington, IN 47402

812-349-3420

hand@bloomington.in.gov

RECEIVED
MAR 01 2011
BY: _____

Property Address: _____ 537 East Smith Avenue

Petitioner's Name: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Address: 2676 East 2nd Street, P.O. Box 5727

City: Bloomington State: Indiana Zip Code: 47407

Phone Number: (812) 336-2026 E-mail Address: jsabbagh@homefinder.org

Owner's Name: _____ David Byrne, DB Crossing, LLC

Address: _____ 1673 Bellemeade Drive (DB Crossing, LLC)

City: Bloomington State: Indiana Zip Code: 47401

Phone Number: _____ E-mail Address: 812-339-6434 (David)

Occupants: Tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: V)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-56

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A variance request has been sent to the Indiana Department of Homeland Security for the following reason:

Code: BMC-16.02.040(b)

The height of the opening in the bedroom is 1" short of code requirement in unit 537. The width of the opening of both units exceeds the code requirement by 16". The openable area required is 4.75 sq.ft. and the windows existing area is 5.19 sq.ft., making it larger than required. These units were built 20+ years ago, and this is the first time I have heard anything about a problem with the windows. If the windows did not meet the building code requirement when the building was built, how did the builder pass his building inspections and get an occupancy permit in the first place. I am, therefore, requesting a variance as this requirement is not practical at this time and would create a hardship on the owner and violate the overall appearance of the building as all the windows are the same in all sixteen units at this location.

I am awaiting the decision of the Department of Homeland Security and need to file for an extension at this time.

Signature (Required):

Joanne Sabbagh

Name (Print):

Joanne Sabbagh

Date:

2/23/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

537 E. Smith Avenue
January 26, 2011
Page 1 of 3

Cycle Report

1766

OWNERS

=====

DB CROSSING, LLC
1673 BELLEMEADE DR.
BLOOMINGTON, IN 47401

AGENT

=====

TEMPO MANAGEMENT
P.O. BOX 5727
BLOOMINGTON IN 47402

Prop. Location: 537 E SMITH AVE
Date Inspected: 01/24/2011
Inspectors: Jo Stong
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

INTERIOR:

Kitchen (12-5 x 11-3):

No violations noted.

Dining Room (6-7 x 5-3):

No violations noted.

Living Room (15-8 x 12-3):

No violations noted.

West Bedroom (13-4 x 9-8):

No violations noted.

139

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Bathroom:

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Properly repair the wall at the base of the shower. PM-304.3

East Bedroom (11-3 x 9-8):

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

Openable area required: 4.75 sq. ft.

Existing area: 5.43 sq. ft.

Clear width required: 18 inches

Existing width: 34 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: not more than

48 inches above finished floor

Existing sill: 30 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or

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his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

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City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-57
Address: 938 N. Walnut Street
Petitioner: Elkins Apartments
Inspector: Maria McCormick
Staff Report: December 22, 2010 Completed Cycle Inspection
March 3, 2011 Re-inspection Completed
March 3, 2011 Appeal Received

In the cycle inspection it was noted that bedroom windows in apartments A, E & F do not meet the minimum requirements for a multi-unit structure built in 1996.

Openable area required: 5.7 sq. ft.
Clear width required: 20"
Clear height required: 24"
Maximum sill height: 44" above finished floor

Existing area: 5.47sq. ft.
Existing width: 33 1/2 "
Existing height: 23 1/2 "
Existing sill: 29 1/2 "above finished floor

Staff recommendation: Grant the extension of time.

Conditions: The State Variance must be received by HAND no later than the date stated below or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 1, 2011

Attachments: Application for Appeal, Cycle Report



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAR 03 2011

Petitioner's Name: Elkins Apartments BY: _____

Petitioner's Address & Phone Number: 940 N. Walnut Street 812-339-
2859

Owner's Name: Jello

Owner's Address & Phone Number: 940 N. Walnut St.

Address of Property: 938 N. Walnut

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Sherril Hellenburg

Name (print): Sherril H. Hellenburg

(Will be assigned by BHQA)

11-TV-57

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

① Need an extension of time in order to
obtain variance from state for 3 windows.

② Request that no time be taken off
of permit since dimensions required
were not accurately listed in
HAND inspection report.

Signature:

Sheri Hellenburg

Date:

3-3-11



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

4272

OWNERS

TELCO, INC.
940 N WALNUT ST
BLOOMINGTON, IN 47408

Prop. Location: 938 N WALNUT ST
Date Inspected: 12/20/2010
Inspectors: Maria McCormick
Primary Heat Source: Electric
Property Zoning: CG
Number of Stories: 2

AGENT

ELKINS APARTMENTS
940 N. WALNUT STREET
BLOOMINGTON, IN 47404

Number of Units/Structures: 10 / 1
Number of Bedrooms: 1 each
Max # of Occupants: 2 each
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

INTERIOR:

Apt. A -

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom:
No violation noted.

Bedroom 9-8 x 13-7:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20"

Clear height required: 24"

Maximum sill height: 44" above finished floor

Existing area: 5.47sq. ft.

Existing width: 33 1/2 "

Existing height: 23 1/2 "

Existing sill: 29 1/2 "above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Apt. B –

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom

No violation noted.

Bedroom 9-8 x 13-7:

No violation noted.

Existing Egress Window Measurements:

Height: 47 inches

Width: 22 ½ inches

Sill Height: 36 inches

Openable Area: 7.37 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Apt. C –

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom

No violation noted.

Bedroom 9-8 x 13-7:

No violation noted.

Existing Egress Window Measurements:

Height: 47 inches

Width: 22 ½ inches

Sill Height: 36 inches

Openable Area: 7.37 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Apt. D–

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom

No violation noted.

Bedroom 9-8 x 13-7:

No violation noted.

Existing Egress Window Measurements:

Height: 47 inches

Width: 22 ½ inches

Sill Height: 36 inches

Openable Area: 7.37 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Apt. E -

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom:

No violation noted.

Bedroom 9-8 x 13-7:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20"

Clear height required: 24"

Maximum sill height: 44" above finished floor

Existing area: 5.47sq. ft.

Existing width: 33 1/2 "

Existing height: 23 1/2 "

Existing sill: 29 1/2 "above finished floor

NC
The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b). The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Apt. F -

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom:

⊖ No water on in this unit. Check all water at re-inspection. Any violations found must be brought into compliance in the same 60 day deadline.

Bedroom 9-8 x 13-7:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20"

Clear height required: 24"

Maximum sill height: 44" above finished floor

Existing area: 5.47sq. ft.

Existing width: 33 1/2 "

Existing height: 23 1/2 "

Existing sill: 29 1/2 "above finished floor

5.58sf

33 1/2"
24"
44"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b). The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

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Apt. G –

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet:

No violation noted.

Bathroom:

Seal the perimeter of the shower surround. PM-304.1

Bedroom 9-8 x 13-7:

No violation noted.

This room has a door to the exterior for egress purposes.

Apt. H –

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet:

No violation noted.

Bathroom:

Seal the perimeter of the shower surround. PM-304.1

Bedroom 9-8 x 13-7:

No violation noted.

This room has a door to the exterior for egress purposes.

Apt. I –

Living Room 11-10 x 13-7; Kitchen; Hallway; Mechanical Closet; Laundry Closet; Bathroom:

Repair all smoke detectors in this unit to be interconnected. PM-704.1

Bedroom 9-8 x 13-7:

Repair all smoke detectors in this unit to be interconnected. PM-704.1

This room has a door to the exterior for egress purposes.

Apt. J –

Living Room 11-10 x 13-7; Hallway; Mechanical Closet; Laundry Closet; Bathroom:

No violation noted.

Kitchen:

Re-mount the existing fire extinguisher to meet the following criteria. A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be **no more than 5 feet above the floor.** PM-704.3.

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Bedroom 9-8 x 13-7:

No violation noted.

This room has a door to the exterior for egress purposes.

EXTERIOR:

Repair the entry doors on the common hallway to function as intended and be weather tight.
No gaps shall be visible around the edges. PM-303.13

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: 13 April 2011
Petition Type: Rescind a Variance
Petition Number: 11-RV-58
Address: 1000 W. Cottage Grove Ave.
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: 20 December 2010 - Cycle Inspection

During the cycle inspection it was noted that the structure has been remodeled and the bedroom access requirement (pass through) variance dated 07/19/1990 needs to be removed. The ceiling height requirement in the SE bedroom needs to be removed also. Petitioner is requesting removal of variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: BHQA Application, Floor plans.

ps

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Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAR 09 2011

Petitioner's Name: H.A.N.D.

Petitioner's Address & Phone Number: 401 N. MORTON ST. SUITE 130 BY: 344-3420

Owner's Name: PHILLIP JONES

Owner's Address & Phone Number: 911 PROSPECT #3 TACOMA PARK, MD 20912

Address of Property: 1000 W. COTTAGE GROVE AVE.

Occupant(s) Name(s): N/A

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☐ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☒ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Norman Mosier

Name (print): NORMAN MOSIER

(Will be assigned by BHQA)

11-RV-58

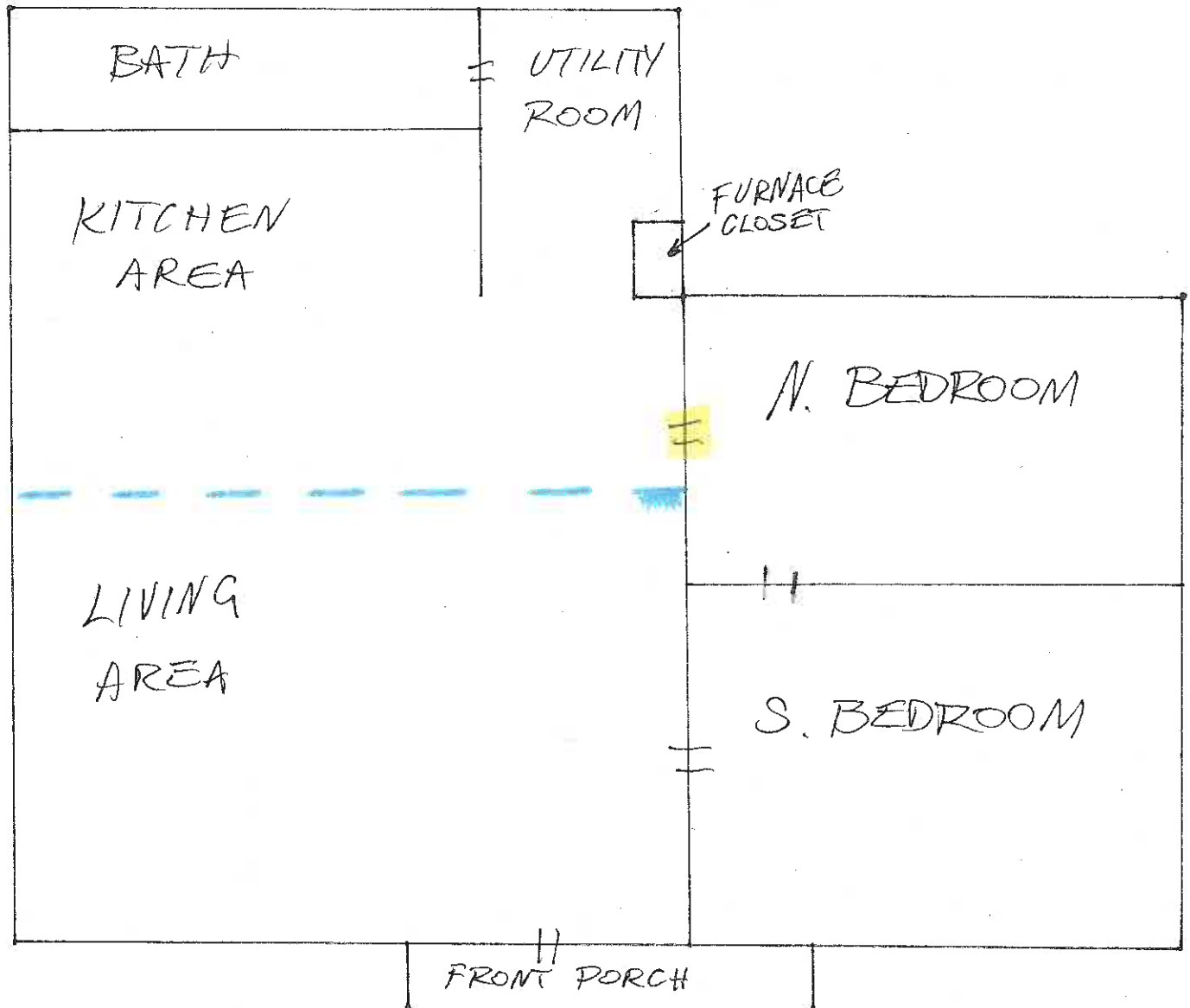
Petition Number: _____

(Please use the reverse side for further explanation and/or request)

1000 W. COTTAGE GROVE

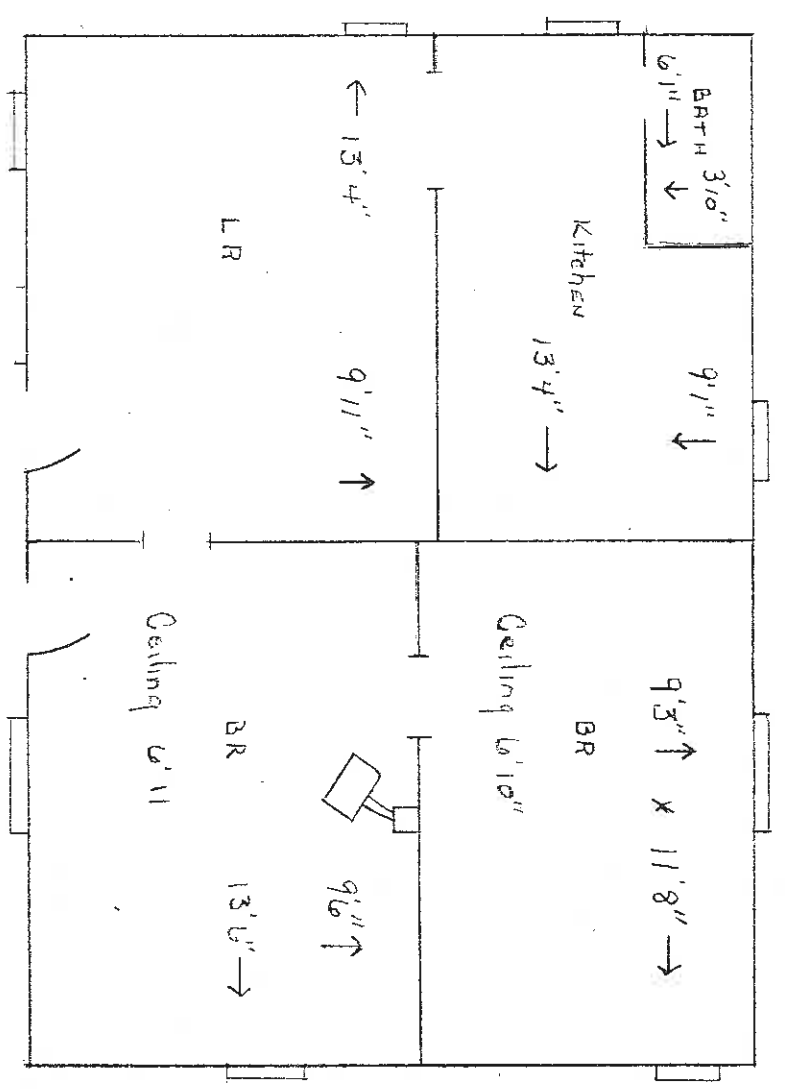
2-15-11
NM

N
W + E
S



NOTE: CEILING IN N. BEDROOM IS VAULTED. 152
BLUE LINE SHOWS REMOVED WALL.
YELLOW AREA SHOWS NEW DOORWAY TO N. BEDROOM.

1. Tenant must pass through SE bedroom to get to NE bedroom. 403.1
2. Ceiling height, NE bedroom does not meet min. requirements. 404.5
3. Ceiling height, SE bedroom does not meet min. requirements. 404.5



Scale 3/16" = 15 ft.

Phil Jones
1000 W. Cottage Grove



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-59
Address: 618 S. Mitchell Street
Petitioner: William McCoy
Inspector: Jo Stong
Staff Report: January 4, 2011: Conducted cycle inspection
January 11, 2011: Sent cycle report
March 10, 2011: Received appeal

During a cycle inspection violations of the Property Maintenance Code were noted, including a damaged roof. The petitioner states that some repairs have been made, but that the weather has not been conducive to repairing the roof. The petitioner is seeking an extension of time until May 10, 2011 to complete the repairs.

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadlines May 31, 2011 for repair of the roof
April 27, 2011 for all other repairs
Attachments: Appeal, Cycle Report, Photos



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
MAR 10 2011

BY:

Property Address: 618 South Mitchell

Petitioner's Name: William McCoy

Address: 4376 Moores Creek Road

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 336-4366

E-mail Address: wjmccoy@indiana.edu

Owner's Name: William and Linda McCoy

Address: 4376 Moores Creek Road

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-336-4366

E-mail Address: wjmccoy@indiana.edu

Occupants: Nick and Laura Patterson

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-59

Petition Number: _____

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In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Furnace was inspected and passed safety test. The smoke alarm has been re-connected. The roof was damaged (18" X 36")by a tree limb three years ago. A repair was made by a roofer but the repair has sunk down and is unsightly. The roof doesn't leak but this part of the roof looks bad. Since January it has been cold, rainy, snowy-tough for fixing a roof or any outside work. The few good days we have had I have spent fighting flu bugs and/or working. I would like until May 10 to call in for next inspection. This should give me or a worker plenty of good weather days to do outside work. I appreciate your consideration of this matter.

Signature (Required):

William McCoy

Name (Print):

BILL MCCOY

Date:

3/10/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

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City of Bloomington
Housing and Neighborhood Development

Cycle Report

2198

OWNERS

MCCOY, LINDA
4376 MOORES CREEK
BLOOMINGTON, IN 47401

Prop. Location: 618 S MITCHELL ST
Date Inspected: 01/04/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

INTERIOR:

Living Room (19-3 x 12-1):
No violations noted.

Dining Room (14-3 x 11-4):
No violations noted.

South Bedroom (10-2 x 9-8):
Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (double-hung):
Height: 24 ½ inches
Width: 34 inches
Sill Height: 28 inches
Openable Area: 5.78 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

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Southwest Bedroom (10-4 x 10-0):

Replace the missing electrical receptacle cover plate on the east wall. PM-605.1

Note: Egress window measurements are the same as in the south bedroom.

Bathroom:

No violations noted.

Kitchen (8-7 x 4-5):

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

BASEMENT

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | | |
|--|---------------------------|----------|
| Desired level: | 0 parts per million (ppm) | |
| Acceptable level in a living space: | 9 ppm | |
| Maximum concentration for flue products: | 50 ppm | PM-603.1 |

EXTERIOR:

Install an approved closing device for the front storm door. PM-102.8 & PM-303.15

Repair or replace damaged or deteriorating roofing (near northeast corner). This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. PM-303.4 & PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Properly paint or provide other protective treatment on the new wall at the southwest corner of the property.

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

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Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



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City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: April 13, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-60

Address: 423 S. Fess Avenue

Petitioner: Jeanne Walter

Inspector: Jo Stong

Staff Report: January 3, 2011: Conducted cycle inspection
January 14, 2011: Sent report
March 14, 2011: Received appeal

During a cycle inspection it was noted that this property had been reconfigured since the last inspection. In order to comply with both the Property Maintenance Code and the Unified Development Ordinance, the property must undergo extensive renovation. The petitioner is requesting an extension of time until July 1, 2011 to complete repairs and renovations.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 1, 2011

Attachments: Appeal, Cycle Report, Floor Plans

JP

161



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 423 South Fess Avenue, Bloomington, IN 47401

Petitioner's Name: Jeanne Walters

Address: 107 East 6th Street

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 331-8951

E-mail Address: ashley@jeannewalters.com

Owner's Name: Mort Rubin dba College Rentals LLC

Address: 3300 Dundee Road Suite C4

City: Northbrook

State: Illinois

Zip Code: 60062

Phone Number: 847-272-1234

E-mail Address: mrubinlawyer@sbcglobal.net

Occupants: 10

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-60

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Extensive repairs are needed due to reconfiguration by the previous owner. Request is for an extension until July 1, 2011.

Inspector Jo Stong and the City of Bloomington Planning Department are familiar with this situation.

Jeanne Walters

Signature (Required): _____

Name (Print): Jeanne Walters

Date: 3/14/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

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**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

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OWNERS

RUBIN, MORT
3100 DUNDEE ROAD SUITE C4
NORTHBROOK, IL 60062

AGENT

WALTERS, JEANNE M.
107 E. 6TH ST.
BLOOMINGTON IN 47408

Prop. Location: 423 S FESS AVE
Date Inspected: 01/03/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 3

Number of Units/Structures: 9/1
Number of Bedrooms: 8x1br; 1x3br
Max # of Occupants: 1/1br; 3/3br
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

NOTE: The above property information is based on previous inspections. See below for reconfiguration information.

VARIANCE

11/08/1978 Granted a variance from the bathroom and the second floor kitchen.

General Violation: This property has been reconfigured since the last cycle inspection (October 19, 2007). In its current configuration, the property has 10 sleeping rooms. During the cycle inspection, conditions were noted that indicate that this property may be in violation of Bloomington Municipal Code Title 20 with regard to sleeping rooms and density. This unit needs to be brought into compliance with Title 20 within sixty (60) days from the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department.

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Following are the noted changes to the property:

- The kitchen has been removed from Unit #2
- The kitchenettes have been removed from Units 4 and 5
- Unit #6 has been removed and is now a kitchen; it appears to be a common kitchen for all tenants of the second floor.
- Unit #9 could previously be accessed from the exterior only. It can now be accessed from the common hallway on the second floor (through what was previously Unit #6)

The City's Planning Department will be the Department which decides whether or not a violation of Title 20 has occurred and whether or not any violation of Title 20 has been remedied. For more information, please contact the Planning Department at 349-3423. Please note that the City of Bloomington Housing and Neighborhood Development Department will not issue a residential rental occupancy permit for any property that is not compliance with Title 20 of the Bloomington Municipal Code.

A copy of this Report has been forwarded to the City of Bloomington Planning Department.

INTERIOR:

Note: All gas furnaces were inspected on October 18, 2010 and all CO levels were in acceptable ranges.

Entry:

Replace the backup battery in the smoke detector (it is beeping). PM-704.1

Unit #1

Kitchen (15-0 x 8-2):

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Living Room (15-5 x 12-3):

No violations noted.

South Bedroom (12-3 x 11-0):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (double-hung):

Height: 27 inches

Width: 26 inches

Sill Height: 13 inches

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Openable Area: 4.87 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Mechanical Room:

Properly repair the hole in the ceiling. PM-304.3

Maintain minimum clearances from combustibles:

- Fuel-fired appliances: 36" clearance from combustible storage
- Single-wall vent connectors: 1" clearance from Flow Guard Gold CPVC
6" clearance for other combustibles
- Double-wall vent connectors: 1" clearance for all combustibles
- Draft hood: 6" clearance for all combustibles

PM-603.3

North Entryway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Hallway:

North window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Clean the return air grille on the west wall. PM-603.1

Northeast Bedroom:

This unit/room was not inspected at the time of this inspection, as it was not accessible. This unit/room must be inspected and brought into compliance within the same 60 day deadline as the remainder of this property. PM-104.4

Southeast Bedroom (12-2 x 10-5):

Replace the broken electrical receptacle cover plate on the east wall. PM-605.1

The windows in this unit/room were not inspected at the time of this inspection, as they were covered and sealed with plastic. The windows in this unit/room must be inspected and brought into compliance within the same 60 day deadline as the remainder of this property. PM-104.4, PM-702.1

Bathroom:

Secure toilet to its mountings. PM-504.1

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Unit #2

Living Room (11-6 x 11-3):

No violations noted.

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Bedroom (13-7 x 10-9):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 27 inches

Width: 43 inches

Sill Height: 18 inches

Openable Area: 8.06 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

BASEMENT

Properly secure the flue to the water heater (west water heater). PM-603.1, PM-504.1

SECOND FLOOR

East (common) Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Properly seal the entire perimeter of the tub where it meets the floor. PM-304.3

Unit #3

South Central Bedroom (13-4 x 13-2):

Provide operating power to smoke detector. PM-704.1

Repair window to be capable of being easily opened and held in position by its own hardware.
PM-303.13.2

(this window must be measured at the reinspection)

Office (11-6 x 8-8):

Repair the window to be weather tight, and properly seal around the frames and trim (partially filled with putty and caulk). The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

Laundry Room:

No violations noted.

Bathroom:

Clean and service the exhaust fan so that it functions as intended (it is very loud). PM-603.1

Provide a proper cover for the drain in the shower. PM-504.1

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Furnace Closet:

No violations noted.

Living Room (15-8 x 15-8):

Show documentation that the gas fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

East Bedroom (13-6 x 11-6):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (double-hung):

Height: 20 inches

Width: 31 inches

Sill Height: 34 ½ inches

Openable Area: 4.30 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Kitchen:

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Common Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Replace the undersized and discharged fire extinguisher. A minimum 2A 20 BC fire extinguisher shall be mounted on each floor level of a building in the exit corridor, exterior exit balcony, or in an accessible exterior location on the building **within 75 feet of any dwelling unit**. The extinguisher shall be at a height no greater than 5 feet above the walking surface or grade below. The extinguisher shall be visible and accessible. PM-704.3.

Unit #4 (single room)Bedroom/Living Room (12-8 x 11-2):

Properly repair the weather stripping in the window. PM-303.13

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Bedroom/Living Room (cont'd)

Repair window to be capable of being easily opened and held in position by its own hardware.
PM-303.13.2

Existing Egress Window Measurements (double-hung):

Height: 27 inches

Width: 29 inches

Sill Height: 24 inches

Openable Area: 5.44 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Unit #5 (single room)

Bedroom /Living Room (12-1 x 11-9):

Repair the torn window screen in the south window on the west wall. PM-303.14

Properly repair the weather stripping in this same window. PM-303.13

Existing Egress Window Measurements (double-hung):

Height: 27 ½ inches

Width: 24 inches

Sill Height: 24 inches

Openable Area: 4.58 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

THIRD FLOOR

Unit #7

Kitchen (9-7 x 7-8):

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Properly seal the shower where it meets the floor. PM-304.3

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Living Room (20-8 x 15-2):

Repair or replace existing smoke detector so that it functions as intended. PM-704.1

Repair the hole in the wall (next to the light switch, east of the closets). PM-304.3

Repair all holes in the closet wall. PM-304.3

Bedroom (13-8 x 8-7):

Existing Egress Window Measurements:

Height: 20 ½ inches

Width: 37 inches

Sill Height: 16 inches

Openable Area: 5.26 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Unit #8 (basement unit)

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Replace the deteriorated molding around the door, and repair or replace the strike plate and any non-functioning parts of the lockset. PM-304.3

Living Room (15-9 x 10-6):

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Kitchen (12-4 x 5-7):

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Bedroom (12-8 x 9-9):

Note: The egress variance for this sleeping area has been removed.

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (awning):

Height: 20 inches

Width: 30 inches

Sill Height: 63 ½ inches

Openable Area: 4.16 sq. ft.

Bedroom (cont'd)

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

EXTERIOR:

Remove and properly dispose of all scattered trash and debris on property, including but not limited to siding, broken furniture, and cigarette butts. PM-302.1

Properly secure the block at the bottom of the east stairs. PM-303.10, PM-302.3

Remove all trash and debris from the east stairwell. PM-302.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Replace all rotting or deteriorated boards on the front (west) porch, and properly surface-coat them. PM-303.10, PM-303.2

Properly repair or replace all missing or deteriorated soffit and fascia boards in a manner that seals all openings. PM-303.6 & PM-303.7

Replace the missing downspout on the north side of the house. PM-303.7

Remove the vines growing into the windows on the south side of the house. PM-302.4, PM-303.2

Properly repair the retaining walls on the south and west sides of the property, securing any loose material, blocks or stones; properly tuck-point all to be structurally sound (blocks and rocks have detached and are in the public right-of-way. Walls must be secured). PM-302.7

NOTE: The tree on the south side of the property is within five feet of the house. It is strongly recommended that this tree be removed to prevent damage to the house.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and

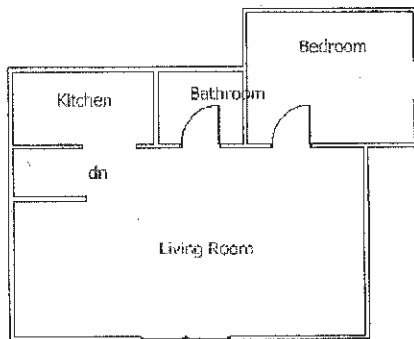
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this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied. BMC16.12.040**

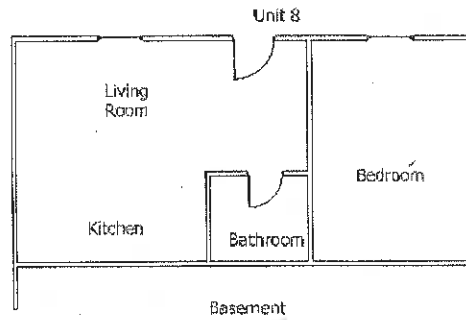
When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

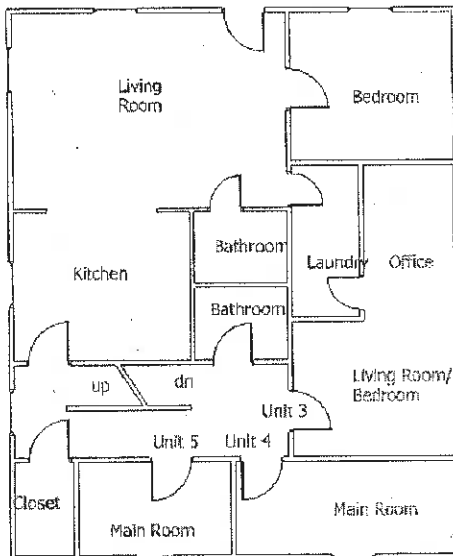
Top Level



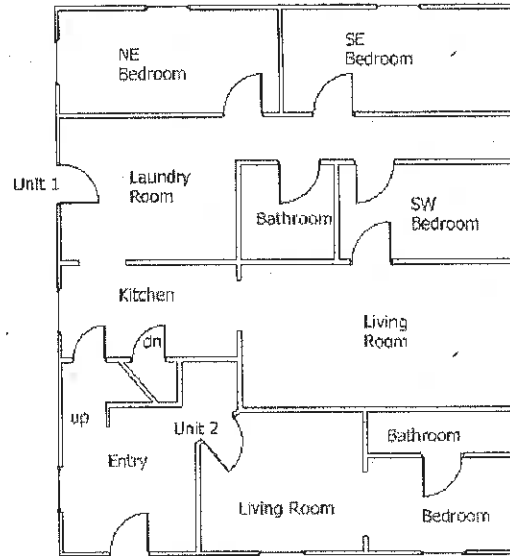
Lower Level



Unit 9



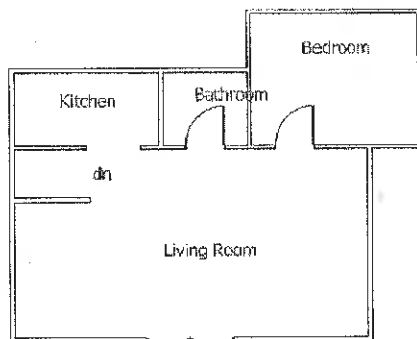
Second Level



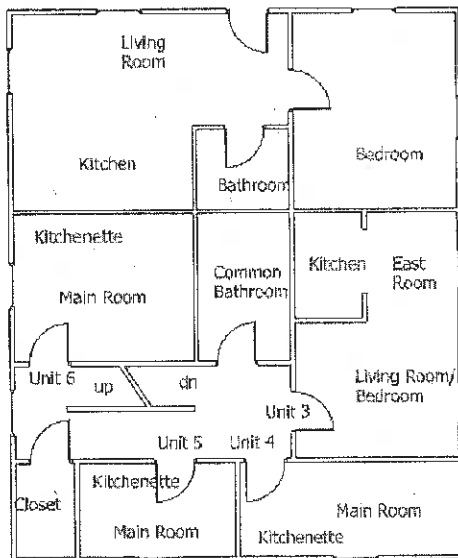
Main Level

423 S. Fess Ave.
New Floor Plan

Top Level

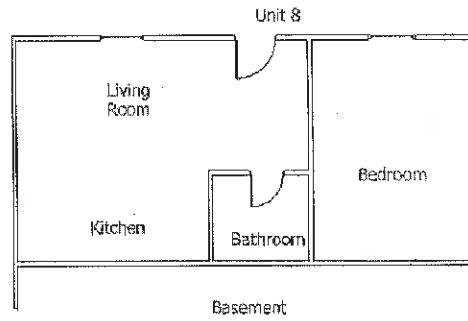


Unit 9

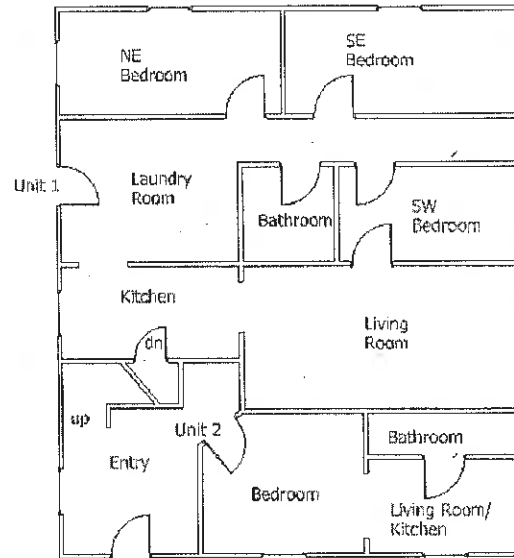


Second Level

Lower Level



Unit 8



Main Level

423 S. Fess Ave.
Old Floor Plan



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Variance**

Meeting Date: April 13, 2011

Petition Type: A modification or exception to the Property Maintenance Code & An extension of time to complete repairs.

Petition Number: 11-TV-61

Address: 806 W. Chambers Drive

Petitioner: Joanne Sabbagh

Inspector: Maria McCormick

Staff Report: During the cycle inspection it was noted that there was a violation of PM-404.4.3 "Every room used as a bedroom shall have access to at least one (1) water closet without passing through another room used as a bedroom." This property is permitted as a three bedroom and has only one bathroom. The petitioner is requesting a pass through variance for this property.
The petitioner is additionally requesting an additional 60 days to complete work that was noted on the cycle report specifically to repair the damaged sidewalk leading to the front porch, the leaking basement walls and to repair the glazing compound.

Staff recommendation: Grant the request for the variance and the extension of time

Conditions: All specified repairs only must be completed by the deadline stated below. All other repairs must be completed in the original 60 day cycle deadline or this case will be turned over to the City of Bloomington Legal Dept. for further action including the possibility of fines.

Compliance Deadline: July 4, 2011

Attachments: Application of Appeal, Cycle Report, Floor Plan



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 806 W. Chambers Drive

Petitioner's Name: Joanne Sabbagh

Address: 3709 Tamarron Drive

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 336-2026

E-mail Address: jsabbagh@homefinder.org

Owner's Name: Joanne Sabbagh

Address: 3709 Tamarron Drive

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 812-336-2026

E-mail Address: jsabbagh@homefinder.org

Occupants: William Sabbagh

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-61

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A. Requesting an extension of time to correct sidewalk issues, glazing of windows, and correcting the basement leaking as the weather is not conducive for this type of work. I am requesting a 60 day extension.

B. I am requesting an appeal for the North Bedroom PM-404-4.3. I have been an owner of this property since March 7, 1997, and this has never been an issue. Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements. Also, imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site.

Signature (Required): _____

Name (Print): Joanne Sabbagh

Date: 3/15/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

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**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

4975

OWNERS

SABBAGH, JOANNE C.
PO BOX 5727
BLOOMINGTON, IN 47402

Prop. Location: 806 W CHAMBERS DR
Date Inspected: 02/21/2011
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

AGENT

TEMPO MANAGEMENT
PO BOX 5727
BLOOMINGTON, IN 47402

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Garage

INTERIOR:

Living Room/Dining Room 23-6 x 11-8:

No violation noted.

South Bedroom 10-9 x 11-3:

Every room used as a bedroom shall have access to at least one (1) water closet without passing through another room used as a bedroom. Continued use of this space as a bedroom shall be contingent upon either providing proper access from a common area to the bathroom in accordance with all applicable rules or securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.4.3

Every window shall be capable of being easily opened and held in position by its own hardware. Properly repair or replace the south window to stay open. PM-303.13.2

Existing Egress Window Measurements:

Height: 23 inches
Width: 32 inches
Sill Height: 28 inches
Openable Area: 5.13 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

No violation noted.

Center Bedroom 10-0 x 12-0:

Every room used as a bedroom shall have access to at least one (1) water closet without passing through another room used as a bedroom. Continued use of this space as a bedroom shall be contingent upon either providing proper access from a common area to the bathroom in accordance with all applicable rules or securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.4.3

Existing Egress Window Measurements:

Height: 22 ½ inches

Width: 24 inches

Sill Height: 26 ½ inches

Openable Area: 3.76 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Kitchen/Breakfast Area 11-8 x 12-6:

Repair or replace door knob/lock assembly in a manner so that it functions as intended. PM-102.8 & PM-304.6

North Bedroom 9-9 x 10-9:

Every room used as a bedroom shall have access to at least one (1) water closet without passing through another room used as a bedroom. Continued use of this space as a bedroom shall be contingent upon either providing proper access from a common area to the bathroom in accordance with all applicable rules or securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.4.3

Every window shall be capable of being easily opened and held in position by its own hardware. Properly repair both windows to function as intended PM-303.13.2

Determine the source and eliminate the water leak in the ceiling. PM-504.1

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Existing Egress Window Measurements:

Height: 22 ½ inches

Width: 24 inches

Sill Height: 26 ½ inches

Openable Area: 3.76 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

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Basement:

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration. Water is coming in along the cracks in the west wall beneath the southern window. PM-303.6

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

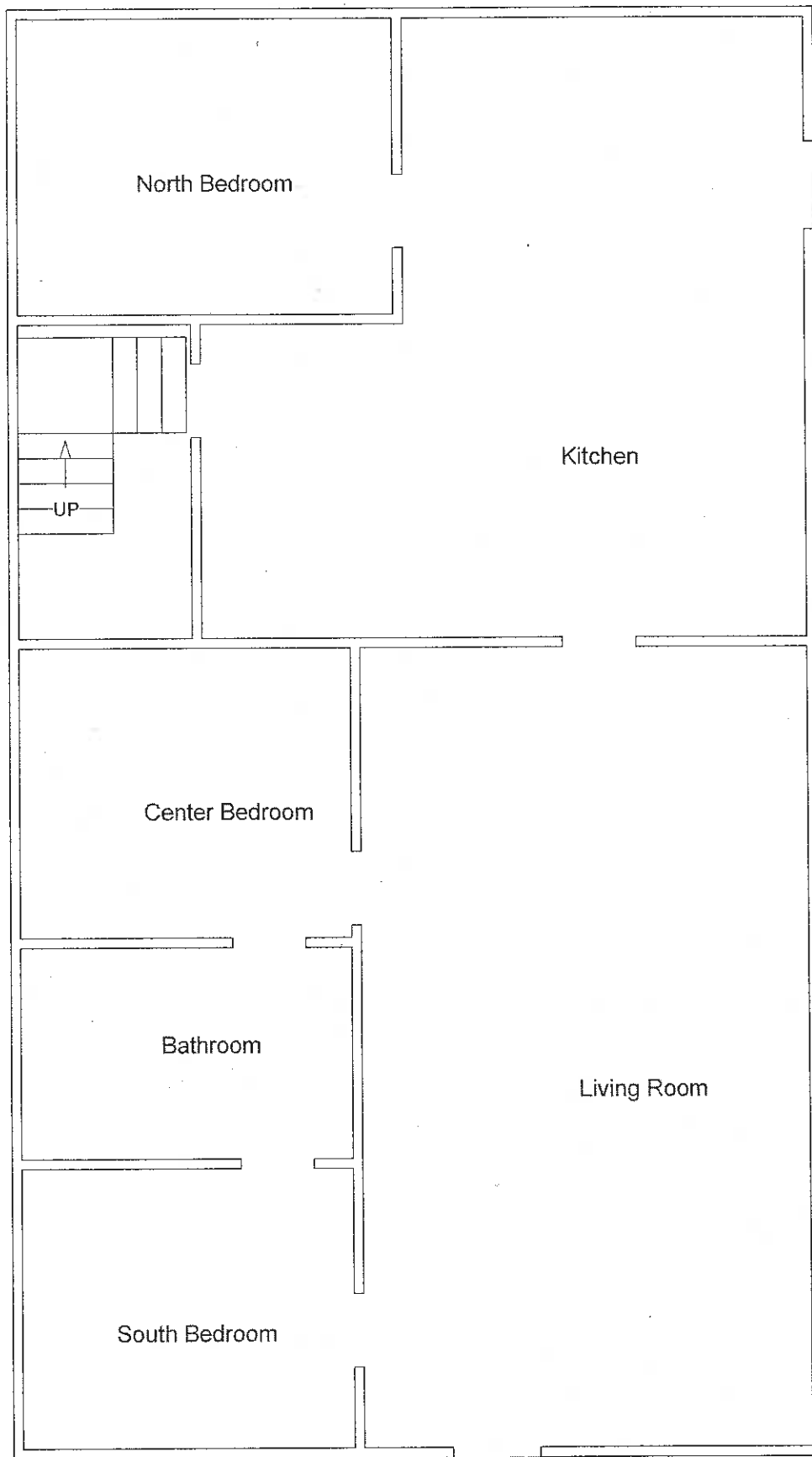
EXTERIOR:

All sidewalks, walkways, stairs, driveways similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. PM-302.3

Properly repair or replace damaged/deteriorated soffit/fascia in a manner that seals all openings on the detached garage. PM-303.6 & PM-303.7

Replace the missing and deteriorated (cracked and peeling) glazing compound on all the windows. PM-303.13

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



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